

## Appointment

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**From:** Birgfeld, Erin [Birgfeld.Erin@epa.gov]  
**Sent:** 9/14/2018 4:17:21 PM  
**To:** Birgfeld, Erin [Birgfeld.Erin@epa.gov]; Haugen, David [haugen.david@epa.gov]; Brusstar, Matt [brusstar.matt@epa.gov]; Block, Molly [block.molly@epa.gov]; Mylan, Christopher [Mylan.Christopher@epa.gov]; Derksen, Kimberly [derksen.kimberly@epa.gov]; Geeting, Michael [geeting.michael@epa.gov]; Fowlkes, Sarah [fowlkes.sarah@epa.gov]  
**Subject:** Society of Environmental Journalists Lab tour -  
**Location:** NVFEL Lab  
**Start:** 10/4/2018 6:00:00 PM  
**End:** 10/4/2018 8:00:00 PM  
**Show Time As:** Busy

Blocking off time for the Society of Environmental Journalists tour of the NVFEL Lab. Below is the information that we have shared with the SEJ folks for our reference.

Our key contact is Julie Halpert – her contact info is Ex. 6 Personal Privacy (PP)  
Back up contacts are: Roger: Ex. 6 Personal Privacy (PP) / Jim: Ex. 6 Personal Privacy (PP)

Dear Julie,

Thanks for a good meeting yesterday. I spoke with our security folks and they are recommending that the bus does go to the Lab entrance on Plymouth road. As long as we have a list of attendees one week in advance they will be able to check IDs of everyone while they are on the bus, and then they won't have to check IDs again once they are on the inside.

Below is a list of everything that we have discussed to date so we have it in one place.

Please send me your cell number so we can be in contact on the day of the event in case we need to coordinate. Mine is at the bottom of this email.

Let me know if I've missed anything. We are looking forward to hosting you.

Best regards,  
Erin

### Security and Logistics

- To streamline security we will need to have a full list of attendees by Sept. 27 (one week ahead of the tour). You can send this list to me and I'll coordinate with security.
- **International visitors must provide all the required information to EPA by Sept. 20 (two weeks before the tour).** EPA will send this information to the Department of Homeland Security for screening. Please send the completed spreadsheet with international participants' information to me by Sept. 20<sup>th</sup>. I've re-attached the spreadsheet for easy reference.
- The bus should go to the NVFEL lab entrance at 2565 Plymouth Road. Security will check IDs while the participants are on the bus. Visitors will not need to show their IDs again when they enter the building.

- Everyone on the tour must be signed up and must bring a government issued ID such as a drivers' license or passport. ***Note that the bus driver will also need his or her ID to get through the check point – this has been a problem in the past!***
- International visitors must bring their passport as ID.
- Attendees who don't have the required ID will, unfortunately, be denied entry.
- Upon entry to the building everyone must go through a security check which includes going through a magnetometer and a bag screening. ***To save time, please encourage people to travel light and leave bags on the bus!***
- No weapons are allowed in the facility, and that includes pocket knives.

### Photos and Audio Recordings

- EPA will provide stock photos of key attributes of the laboratory including the emission test cells, Portable Emissions Monitors, and the Heavy Duty Dynamometers. [Julie – let's talk what is the best way to provide this? These will be large files...]
- In general, photography is prohibited in the lab to protect potential confidential information. However, the tour leader will point out a few places where photographs can be taken.
- Unfortunately, we won't be able to allow audio recording in the lab for this tour.

### Other Ground Rules

- Dr. David Haugen is the Director of the Laboratory will be giving the tour. Everything that he says can be used on background in the reporters stories.
- At the end of the tour Byron Bunker, Director of the Compliance Division will be available for about 20 minutes to answer questions on the record and for attribution.

### Agenda and Timing

- 2:15/2:30 pm Bus Arrives
- 2:30 pm - 2:45 pm Attendees go through security
- 2:45 pm – 3:45/4:00 pm Lab tour

### Lab Tour Overview

- Brief (5-7 min) stand-up overview of NVFEL, including history of the lab and the scope of our testing mission. Include a bit of history on the CAFÉ standards over time.
- Car\SUV\pick-up vehicle testing area: learn how cars are emissions & fuel economy tested and how the test results impact the environment and the auto industry (this show and tell includes both advance tech cars on display and vehicles being testing on chassis dynos, cold & hot). Attendees will learn about:
  - How emissions and fuel economy testing is performed, changes we've made to car\SUV testing post VW and why.
  - How changes in car technology, both recent (EVs, hybrids, advanced techs) and around-the-corner (advanced safety systems, autonomous vehicles, shared mobility) could affect the environment.



- Our testing preparations for these future cars - less laboratory-centric, adding real-world operations - to keep pace with future transportation.
- Heavy-duty truck emissions testing, how it is changing, and why emissions from on-highway trucks and buses increasingly matter.
  - This will include a “behind the curtain” look at our unique\really big heavy duty dynamometer and other heavy duty testing equipment.

## Contact Information

Press Questions and Follow Up: [press@epa.gov](mailto:press@epa.gov)

Molly Block, EPA Press Secretary

Work cell: Ex. 6 Personal Privacy (PP)

Email: [block.molly@epa.gov](mailto:block.molly@epa.gov)

For Logistical and Organization Issues:

Erin Birgfeld, Communications Director, Office of Transportation and Air Quality

Ex. 6 Personal Privacy (PP) {work cell} / Ex. 6 Personal Privacy (PP) {personal cell as backup}

Email: [Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/18/2018 3:27:57 PM  
**To:** Jeff Plungis [jeff.plungis@consumer.org]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Questions from Consumer Reports -- Infiniti fuel economy

Good morning Jeff,

On background, please: **Why did EPA do a chassis test and not also a coast-down test for the QX50?**

Use of new or novel technology is one of the factors we may use in choosing when to audit manufacturer chassis or coast-down test results. The QX50 incorporates new technology (a variable compression ratio engine) and thus was a good candidate for a chassis test audit. However, this engine technology does not affect how a vehicle would perform on a coast-down test because those procedures are conducted with the vehicle in neutral. Therefore there was no particular reason to select the QX50 for a coast-down audit over any other new vehicle.

**--Isn't it true that the mileage restatements by Ford in 2013 and 2014, and the fines levied on Hyundai and Kia in 2014 occurred after errors in coast-down testing?**

Yes. It is correct that the mileage restatements from 2013 and 2014 were due to unrepresentative road load estimates for the vehicles.

**--Didn't the EPA vow after these cases to do more coast-down testing and release the results to the public? Can you characterize how many of the models tested each year by EPA are chassis tests versus coast-down tests?**

EPA took several steps in response to the issues from 2013 and 2014. EPA issued new road load test procedure guidance to vehicle manufacturers in 2014, which is available here [[https://iaspub.epa.gov/otaqpub/display\\_file.jsp?docid=34102&flag=1](https://iaspub.epa.gov/otaqpub/display_file.jsp?docid=34102&flag=1)]. The Agency has also continued to conduct coast-down audits similar to the audits we conducted in 2011-13 that uncovered the original issues. The audits we've conducted since issuing the new guidance have not revealed a significant discrepancy in manufacturer road load estimates. If our audits do identify problems, we would require the manufacturer to relabel as we did in the previous cases. It is true that our coast-down audit rate is lower than our chassis test audit rate. This reflects simple practical constraints and the logistical limitations to coast-down testing. Coast down audits require a long straight test track without excessive wind, rain or other weather conditions, which makes them more difficult to schedule and run when compared to chassis testing which we conduct year round at the National Vehicle and Fuel Emissions Laboratory.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
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Ex. 6 Personal Privacy (PP)

 (M)

**From:** Jeff Plungis <jeff.plungis@consumer.org>  
**Sent:** Monday, December 17, 2018 5:53 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Re: Questions from Consumer Reports -- Infiniti fuel economy

That should work. If you could get to me by mid-day that would be helpful.

On Mon, Dec 17, 2018 at 5:15 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Jeff,

We're very close to a response, but will likely get there tomorrow. Would that work for you?

Cheers, R.

Robert Daguillard

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Ex. 6 Personal Privacy (PP) (M)

**From:** Jeff Plungis <jeff.plungis@consumer.org>

**Sent:** Friday, December 14, 2018 5:01 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Re: Questions from Consumer Reports -- Infiniti fuel economy

Thanks, Robert. Please keep me posted after you have the chance to check in with your people on Monday. --JP

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**Jeff Plungis** Lead Automotive Investigative Reporter Consumer Reports 1101 17th Street NW | Washington  
DC 20036 (202) 238-9254 | Ex. 6 Personal Privacy (PP) mobile

On Fri, Dec 14, 2018 at 4:43 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Jeff, thanks for your follow-ups. I'm happy to forward your questions to the vehicle test folks. This said, and since we're quite close to the end of the business day, I don't know how much we'll get done this evening. We'll definitely give Monday, end of business, a shot, but any flexibility – i.e., chance you might push that deadline back a bit – would be most welcome. Thanks in advance.

Cheers, R.

Robert Daguillard

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Ex. 6 Personal Privacy (PP) (M)

**From:** Jeff Plungis <jeff.plungis@consumer.org>

**Sent:** Friday, December 14, 2018 4:20 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Re: Questions from Consumer Reports -- Infiniti fuel economy

Robert:

We're now looking at publishing the story about the Infiniti QX50 early next week.

In our final edits on the piece, we wanted to be very clear about what happened with the EPA audit on this vehicle. I asked under what circumstances the agency would do a coast-down audit, since in your answer to us you noted the agency had done a chassis test but not the coast-down test. It doesn't appear you answered that question, even though you did spell out in detail the differences between the two tests.

Just to be clear, could you answer these questions:

--Why did EPA do a chassis test and not also a coast-down test for the QX50?

--Isn't it true that the mileage restatements by Ford in 2013 and 2014, and the fines levied on Hyundai and Kia in 2014 occurred after errors in coast-down testing?

--Didn't the EPA vow after these cases to do more coast-down testing and release the results to the public?

--Can you characterize how many of the models tested each year by EPA are chassis tests versus coast-down tests?

Please provide whatever answers you can by close of business Monday, Dec. 17.

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**Jeff Plungis** Lead Automotive Investigative Reporter Consumer Reports 1101 17th Street NW | Washington DC 20036 (202) 238-9254 | Ex. 6 Personal Privacy (PP) mobile

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On Mon, Dec 3, 2018 at 4:15 PM Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Good afternoon Jeff,

Still on background, please:

--When you say EPA audits 15-20 percent of the test vehicles each manufacturer makes available to the agency, do you mean approximately 15-20 percent of models sold in the U.S. each year? Or is the agency only auditing the results for new models or those that have been significantly redesigned? In other words, if a model is little changed from the previous model year, does the agency see a need to test it?

**EPA conducts its own testing on 15-20 percent of models per year. Typically we do more testing on newly designed models since they are truly new. However, we take a variety of information into**

account when we make decisions about the vehicles we audit, and we do not just audit newly redesigned vehicles.

--A 2014 fact sheet from EPA estimates the agency has audited around 150-200 models a year. Is that still an accurate estimate?

**It is an accurate number for 2014.**

--You say with regards to the QX50, EPA did a chassis test but not a coast-down audit. Can you explain the difference? Under what circumstances does the agency conduct a coast-down audit?

A chassis test measures tailpipe emissions as a car is driven through a prescribed driving cycle on a chassis dynamometer. For the emissions measurements to be accurate, the dynamometer must be loaded to simulate the forces the car would experience if it were being driven outside on a road. Thus before a vehicle undergoes a chassis test, the dynameter settings are adjusted to account for the effect of real-world factors such as road friction on that vehicle. A coast down test is used to quantify those forces for any given vehicle. It basically measures how long it takes to go from 70 mph to 10 mph on an open road with very little wind. The result of coast down testing is an essential input into the dynamometer testing (aka chassis test) that is done in the laboratory. If the coast down testing is off, then the results of chassis testing can also be off, particularly for fuel economy and greenhouse gas emissions labeling. Thus, we audit manufacturer road load as well as chassis testing results as well as manufacturer chassis testing results.

Cheers, R.

Robert Daguiard

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Ex. 6 Personal Privacy (PP) (M)

**From:** Jeff Plungis <[jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org)>

**Sent:** Friday, November 30, 2018 10:14 AM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Re: Questions from Consumer Reports -- Infiniti fuel economy

It's for the original story, now in editing.

On Fri, Nov 30, 2018 at 10:09 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Jeff and thanks for reaching out,

Let me get this started for you. Are you still working on the story for which you originally got in touch? Or is this a follow-up piece?

Cheers, R.

Robert:

A couple of follow-up questions:

--When you say EPA audits 15-20 percent of the test vehicles each manufacturer makes available to the agency, do you mean approximately 15-20 percent of models sold in the U.S. each year? Or is the agency only auditing the results for new models or those that have been significantly redesigned? In other words, if a model is little changed from the previous model year, does the agency see a need to test it?

--A 2014 fact sheet from EPA estimates the agency has audited around 150-200 models a year. Is that still an accurate estimate?

--You say with regards to the QX50, EPA did a chassis test but not a coast-down audit. Can you explain the difference? Under what circumstances does the agency conduct a coast-down audit?

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**Jeff Plungis** Lead Automotive Investigative Reporter Consumer Reports 1101 17th Street NW |  
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On Wed, Nov 21, 2018 at 11:51 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Jeff,

On background – i.e., for attribution to U.S. EPA, please:

-- Has EPA audited Infiniti's self-reported mpg values for the QX50? Is there any discrepancy between EPA's test results and those of the company?

**EPA did conduct a chassis test of the Infiniti QX50 but did not conduct a coast down audit. The Agency's testing did observe a more than 15% difference between testing in standard mode and sport mode. The vehicle FE label is based on operation in standard mode.**

-- Infiniti is promoting the QX50 as having best-in-class fuel economy, while our tests show it is among the worst-in-class. What's the agency's reaction to our results?

**EPA takes seriously reported discrepancies in fuel economy estimates and appreciates CR raising this to our attention. We cannot comment specifically on the discrepancy CR has found here without first knowing more about CR's testing and further investigation.**

-- What percentage of self-reported vehicle mileage estimates are audited by the EPA? What happens if there is a discrepancy? How often do the agency's audits result in a change in the automakers' self-reported estimates?

**We audit 15-20% of the test vehicles manufacturers are required to make available to EPA. Where EPA conducts an audit, the EPA test results become the official results for the vehicle. The majority of EPA's fuel economy test results are within 3% of the manufacturer submissions. If a single manufacturer routinely has results that differ by more than 3%, we increase the audit rate of vehicles from that specific manufacturer.**

-- This testing anomaly, along with the recent history involving Ford, Hyundai and Kia, raises concerns about the system that allows manufacturers to self-report their test results with only a small number of models being audited by EPA. Has the agency considered auditing more models to ensure consumers have confidence in the values that appear on window stickers in the showroom?

**EPA shifts our oversight testing resources between a wide range of oversight responsibilities based on our assessment of likely noncompliance risk and in a manner that may be unpredictable to**



manufacturers. This includes not only passenger car fuel economy testing audits but also passenger car and heavy-truck defeat device testing and a wide range of engine testing of nonroad equipment. If we see a greater risk of fuel economy discrepancies we may shift resources among these testing programs.

Happy Thanksgiving.

Cheers, R.

Robert Daguiard

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**From:** Jeff Plungis <[jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org)>

**Sent:** Tuesday, November 20, 2018 9:33 AM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Questions from Consumer Reports -- Infiniti fuel economy

Robert:

Consumer Reports conducts regular fuel-economy tests as part of its overall evaluation of every vehicle we purchase. As part of our evaluation of the Infiniti QX50, we have found a sizable discrepancy between our testing and the EPA results.

Our on-road testing has two parts. On the highway, we drive at a steady 65 mph, which generally results in a higher mileage value than the EPA's highway test. At our test track, we conduct a course of simulated city driving which typically results in a lower value than the EPA's. We have strict controls on ambient conditions and correct for any difference in temperature. Nearly two-thirds of the vehicles we test get within 1 mpg of their EPA window-sticker values. More than 85 percent are within 2 mpg.

In our on-road testing, we recorded 22 mpg overall in our AWD QX50 test vehicle which is 4 mpg below the EPA estimate of 26 mpg. The 4 mpg gap represents over a 15 percent shortfall of the advertised EPA number, the largest percent deficit we have seen in recent years.

Our findings on Infiniti come after other fuel-economy reporting errors that have led to restatements, customer refunds and civil penalties. In 2013, after Consumer Reports found large differences in real-world performance and EPA estimates, Ford restated mileage for several hybrid models and offered customers a rebate to compensate for unexpected fuel costs. In 2014, Hyundai and Kia agreed to pay a \$100 million fine for overstating mileage on 12 different models.

Here are some questions for the EPA. To be included in our story, we need your responses by no later than Wednesday, Nov. 21 at 5 p.m. If for any reason you need more time for a complete response, please let me know as soon as possible.

-- Has EPA audited Infiniti's self-reported mpg values for the QX50? Is there any discrepancy between EPA's test results and those of the company?

-- Infiniti is promoting the QX50 as having best-in-class fuel economy, while our tests show it is among the worst-in-class. What's the agency's reaction to our results?

-- What percentage of self-reported vehicle mileage estimates are audited by the EPA? What happens if there is a discrepancy? How often do the agency's audits result in a change in the automakers' self-reported estimates?

-- This testing anomaly, along with the recent history involving Ford, Hyundai and Kia, raises concerns about the system that allows manufacturers to self-report their test results with only a small number of models being audited by EPA. Has the agency considered auditing more models to ensure consumers have confidence in the values that appear on window stickers in the showroom?

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Message

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**From:** Konkus, John [konkus.john@epa.gov]  
**Sent:** 2/6/2019 7:33:13 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]  
**Subject:** RE: For Review: Chemistry World (Rebecca Trager) re PFAS (2/5)

ok

---

**From:** Block, Molly  
**Sent:** Wednesday, February 6, 2019 2:32 PM  
**To:** Konkus, John <konkus.john@epa.gov>  
**Cc:** Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>  
**Subject:** FW: For Review: Chemistry World (Rebecca Trager) re PFAS (2/5)

Update response. are we good?

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**From:** Jones, Enesta  
**Sent:** Wednesday, February 6, 2019 2:29 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** For Review: Chemistry World (Rebecca Trager) re PFAS (2/5)

A slightly revised version for your approval is below. ORD and OW both had edits. OK to send?

## Ex. 5 Deliberative Process (DP)

### Background

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

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**From:** Jones, Enesta  
**Sent:** Wednesday, February 06, 2019 12:48 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** For Review: Chemistry World (Rebecca Trager) re PFAS (2/5)

Ok to send?

**From:** "Jones, Enesta" <[jones.Enesta@epa.gov](mailto:jones.Enesta@epa.gov)>  
**Date:** February 6, 2019 at 7:31:51 AM EST  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** For Review: Chemistry World (Rebecca Trager) re PFAS (2/5)

Coordinated response with ORD and OW:

For attribution to an EPA spokesperson:

# Ex. 5 Deliberative Process (DP)

## **Ex. 5 Deliberative Process (DP)**

What are the current scientific gaps that are holding back regulation and action regarding PFAS?

## **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

+++

Hi Kacey,

Thanks for getting back to me, my deadline is Tuesday afternoon. I would like to talk with Dr. Strynar about PFAS, and about his experience helping to uncover GenX contamination in the Cape Fear River. Specifically, I am also interested in asking him the following questions:

1. What are PFAS and why are they so problematic? In other words, why are we increasingly hearing about them in the news, and what are the human health and environmental concerns?
2. Why are these compounds still being manufactured and added to consumer goods in the US and globally, despite these concerns?
3. Companies have phased out long-chain PFAS like PFOS and PFOA and replaced them with new, short-chain PFAS. However, I am hearing conflicting things about whether these are actually safer or not – what is your take?
4. There are at least 4,700 different PFAS in existence right now. Given all the scientific uncertainty and the obvious fact that that's too many compounds to test individually, is it appropriate to proceed by regulating PFAS as a group? Why or why not?
5. What are the current scientific gaps that are holding back regulation and action regarding PFAS?

---

**From:** Rebecca Trager <[tragerr@rsc.org](mailto:tragerr@rsc.org)>  
**Sent:** Thursday, January 31, 2019 1:09 PM  
**To:** Strynar, Mark <[strynar.mark@epa.gov](mailto:strynar.mark@epa.gov)>  
**Subject:** Media inquiry  
**Importance:** High

Hi Dr. Strynar,

I am the U.S. correspondent for a magazine called Chemistry World, and am reaching out while writing a story about PFAS regulation. I was hoping to talk with you for about 10 minutes by phone (on or off the record) about your experience in helping to identify GenX in the Cape Fear River. You can reach me at this email address, or by phone at Ex. 6 Personal Privacy (PP) Alternatively, I am happy to call you if you tell me a convenient time and number to reach you.

Thanks in advance,

Rebecca

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Message

---

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 9/4/2018 3:08:16 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Subject: Press Inquiry—glyphosate

Good to go.

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, September 4, 2018 11:08 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Subject: Press Inquiry—glyphosate

Program Ex. 5 Deliberative Process (DP) OK to Ex. 5 Deliberative Process (DP)?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Edward Smith [mailto:edward@thebusinessjournal.com]  
**Sent:** Tuesday, September 04, 2018 10:45 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Subject: Press Inquiry—glyphosate

Hey Robert, can we still get someone to talk about the herbicide?

On Aug 17, 2018, at 1:20 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon,

For attribution to “an EPA Spokesperson,” please,

As stated in our December 2017 announcement, EPA’s draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency’s scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA’s human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our [Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential](#).

Also, for information on the way EPA sets pesticide tolerances: <https://www.epa.gov/pesticide-tolerances/setting-tolerances-pesticide-residues-foods>

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Edward Smith <[edward@thebusinessjournal.com](mailto:edward@thebusinessjournal.com)>

**Date:** August 17, 2018 at 9:59:29 AM PDT

**To:** [zito.kelly@epa.gov](mailto:zito.kelly@epa.gov)

**Subject:** Press Inquiry—glyphosate

Hello Kelly,

My name is Edward and I'm a reporter with the Business Journal in Fresno. I'm working on a story following the Roundup ruling earlier this week and I was wondering if the EPA is going to be reevaluating glyphosate following the court's decision. I'm working on a deadline of about Tuesday, is there anyway you'd be able to answer some questions, my phone number is 

Ex. 6 Personal Privacy (PP)

Thanks!

**Edward Smith**

Researcher

<image001.png>

Pacific Publishing Group | 1315 Van Ness Ave. #200 | Fresno, CA 93721

Direct: 

Ex. 6 Personal Privacy (PP)

 | Office: (559) 490-3400 | [edward@thebusinessjournal.com](mailto:edward@thebusinessjournal.com)

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**Edward Smith**

Researcher

**THE BUSINESS JOURNAL**

Pacific Publishing Group | 1315 Van Ness Ave. #200 | Fresno, CA 93721

Direct: 

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 | Office: (559) 490-3400 | [edward@thebusinessjournal.com](mailto:edward@thebusinessjournal.com)

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Message

---

**From:** Konkus, John [konkus.john@epa.gov]  
**Sent:** 2/6/2019 6:50:51 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**Subject:** RE: FOR REVIEW: For Review: Chemistry World (Rebecca Trager) re PFAS (2/5)

ok

---

**From:** Block, Molly  
**Sent:** Wednesday, February 6, 2019 12:53 PM  
**To:** Konkus, John <konkus.john@epa.gov>  
**Subject:** RE: FOR REVIEW: For Review: Chemistry World (Rebecca Trager) re PFAS (2/5)

Reupping in your inbox

---

**From:** Block, Molly  
**Sent:** Wednesday, February 6, 2019 8:51 AM  
**To:** Konkus, John <konkus.john@epa.gov>  
**Subject:** FOR REVIEW: For Review: Chemistry World (Rebecca Trager) re PFAS (2/5)

Want you to see this for edits before it goes to the reporter.

---

**From:** Jones, Enesta  
**Sent:** Wednesday, February 6, 2019 7:32 AM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Chemistry World (Rebecca Trager) re PFAS (2/5)

**Coordinated response with ORD and OW:**

**For attribution to an EPA spokesperson:**

# Ex. 5 Deliberative Process (DP)

On background: 

Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

## **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

What are the current scientific gaps that are holding back regulation and action regarding PFAS?

On background:

**Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

+++

Hi Kacey,

Thanks for getting back to me, my deadline is Tuesday afternoon. I would like to talk with Dr. Strynar about PFAS, and about his experience helping to uncover GenX contamination in the Cape Fear River. Specifically, I am also interested in asking him the following questions:

1. What are PFAS and why are they so problematic? In other words, why are we increasingly hearing about them in the news, and what are the human health and environmental concerns?
2. Why are these compounds still being manufactured and added to consumer goods in the US and globally, despite these concerns?
3. Companies have phased out long-chain PFAS like PFOS and PFOA and replaced them with new, short-chain PFAS. However, I am hearing conflicting things about whether these are actually safer or not – what is your take?
4. There are at least 4,700 different PFAS in existence right now. Given all the scientific uncertainty and the obvious fact that that's too many compounds to test individually, is it appropriate to proceed by regulating PFAS as a group? Why or why not?
5. What are the current scientific gaps that are holding back regulation and action regarding PFAS?

---

**From:** Rebecca Trager <tragerr@rsc.org>  
**Sent:** Thursday, January 31, 2019 1:09 PM  
**To:** Strynar, Mark <strynar.mark@epa.gov>  
**Subject:** Media inquiry  
**Importance:** High

Hi Dr. Strynar,

I am the U.S. correspondent for a magazine called Chemistry World, and am reaching out while writing a story about PFAS regulation. I was hoping to talk with you for about 10 minutes by phone (on or off the record) about your experience in helping to identify GenX in the Cape Fear River. You can reach me at this email address, or by phone at Ex. 6 Personal Privacy (PP) Alternatively, I am happy to call you if you tell me a convenient time and number to reach you.

Thanks in advance,

Rebecca

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Message

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**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 9/12/2018 8:43:01 PM  
**To:** Yamada, Richard (Yujiro) [yamada.richard@epa.gov]  
**CC:** Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]; Konkus, John [konkus.john@epa.gov]  
**Subject:** FW: EPA advisory committees

Richard what do we want to say?

---

**From:** Jones, Enesta  
**Sent:** Wednesday, September 12, 2018 4:39 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Fwd: EPA advisory committees

Begin forwarded message:

**From:** Sean Reilly <sreilly@eenews.net>  
**Date:** September 12, 2018 at 4:37:56 PM EDT  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Subject:** EPA advisory committees

Hi Enesta:

Just checking back again with you on the questions below related to implementation of Mr. Pruitt's directive from last October on membership standards for EPA FACs. I'm close to wrapping up work on the story, so wanted to see whether you plan to address them.

Thanks,  
Sean

-----Original Message-----

**From:** Sean Reilly  
**Sent:** Thursday, August 16, 2018 11:10 AM  
**To:** 'Jones, Enesta' <Jones.Enesta@epa.gov>  
**Subject:** RE: EFAB

Hi Enesta:

No questions about coal ash at this point. Regarding EFAB, I'm working on an article on the extent to which EPA has fully implemented the requirements of Scott Pruitt's Oct. 31, 2017 directive titled "Strengthening and Improving Membership on EPA Federal Advisory Committees, " to all of the agency's 22 committees. In announcing this directive, Mr. Pruitt singled out three (the SAB, CASAC, and BOSC), but the directive makes clear (and Michael Abboud confirmed at the time) that the directive's requirements apply to all 22. After speaking to numerous members of the EFAB and other committees, however, I've been unable to find any evidence that EPA has sought to substantively implement the directive to any FACs beyond the three mentioned by Mr. Pruitt.

My specific questions at this point are:

1) Has EPA implemented the directive's requirements, including the ban on federal advisory committee service by active

EPA grant recipients, to any of the other 19 advisory committees and, if so, which ones? Have any members been required to resign from their respective committees because they declined to give up their EPA grants, and if, so how many?

2) If EPA has not applied the directive's requirements to any of the 19 committees, why not, given that almost ten months have passed since Mr. Pruitt issued it?

My deadline is 4 p.m. tomorrow; I will need on-the-record, for-attribution responses if they're going to be used.

Thanks,  
Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP)

 Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

-----Original Message-----

From: Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
Sent: Thursday, August 16, 2018 7:41 AM  
To: Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
Cc: Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
Subject: EFAB

Sean, I understand you have questions about EFAB and coal ash. Please share along with your firm deadline.

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 8/31/2018 9:06:34 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Kokomo Perspective: Follow Up Questions for Kokomo Groundwater Plume. DDL not specified

---

**From:** regionalpress  
**Sent:** Friday, August 31, 2018 9:06:32 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** Bassler, Rachel; regionalpress  
**Cc:** Kelley, Jeff; Deamer, Eileen  
**Subject:** RE: Kokomo Perspective: Follow Up Questions for Kokomo Groundwater Plume. DDL not specified

Could it be epa spokesperson ? thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**Ex. 6 Personal Privacy (PP) (mobile)**

---

**From:** Bassler, Rachel  
**Sent:** Friday, August 31, 2018 4:57 PM  
**To:** regionalpress <regionalpress@epa.gov>  
**Cc:** Kelley, Jeff <kelley.jeff@epa.gov>; Deamer, Eileen <deamer.eileen@epa.gov>  
**Subject:** Re: Kokomo Perspective: Follow Up Questions for Kokomo Groundwater Plume. DDL not specified

The reporter would like to use a quote from our background interview. Below is what we would like for attribution from the RPM. Ok to send?

## Ex. 5 Deliberative Process (DP)

Rachel Bassler  
U.S. EPA Region 5  
[bassler.rachel@epa.gov](mailto:bassler.rachel@epa.gov)  
p: 312-886-7159  
C: **Ex. 6 Personal Privacy (PP)**

On Aug 28, 2018, at 2:14 PM, regionalpress <[regionalpress@epa.gov](mailto:regionalpress@epa.gov)> wrote:

Good to go

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**

**202-564-6879 (desk)**  
Ex. 6 Personal Privacy (PP) **(mobile)**

**From:** Bassler, Rachel  
**Sent:** Tuesday, August 28, 2018 3:14 PM  
**To:** regionalpress <regionalpress@epa.gov>  
**Cc:** Kelley, Jeff <kelley.jeff@epa.gov>; Deamer, Eileen <deamer.eileen@epa.gov>  
**Subject:** Kokomo Perspective: Follow Up Questions for Kokomo Groundwater Plume. DDL not specified

The reporter from the Kokomo Perspective that we did a phone interview a few weeks ago with has a few follow up questions. Below are our proposed responses, ok to send?

**Q: You referred me to IDEM concerning possible remediation of the site, and after reaching out to them they said their role was evaluating the site and their assessment would be used to determine possible remediation plans. So, where exactly is the EPA in determining what can be done to the site? An IDEM rep said you were very early in that process, and I'm trying to figure out the best way to categorize the matter.**

**Proposed A:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

**Q: What are potential remediation methods that could be utilized? Or, what methods have been explored?**

**Proposed A:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

Rachel Bassler  
Press Officer  
U.S. EPA Region 5  
[bassler.rachel@epa.gov](mailto:bassler.rachel@epa.gov)  
p: 312-886-7159  
C: Ex. 6 Personal Privacy (PP)

**From:** [dzimmerman@kokomoperspective.com](mailto:dzimmerman@kokomoperspective.com) [mailto:[dzimmerman@kokomoperspective.com](mailto:dzimmerman@kokomoperspective.com)]  
**Sent:** Monday, August 27, 2018 1:14 PM  
**To:** Bassler, Rachel <[Bassler.Rachel@epa.gov](mailto:Bassler.Rachel@epa.gov)>  
**Subject:** RE: Kokomo Indiana media inquiry

Good afternoon Rachel,

I appreciate you letting me know about those documents. I've given them a read through and the information was very helpful.

I have a few follow-up questions after our interview a few weeks ago.

You referred me to IDEM concerning possible remediation of the site, and after reaching out to them they said their role was evaluating the site and their assessment would be used to determine possible remediation plans.

So, where exactly is the EPA in determining what can be done to the site? An IDEM rep said you were very early in that process, and I'm trying to figure out the best way to categorize the matter.

What are potential remediation methods that could be utilized? Or, what methods have been explored?

I appreciate you looking at these.

Best,

Devin Zimmerman  
Kokomo Perspective  
765-553-5041

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 8/31/2018 8:56:45 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Kokomo Perspective: Follow Up Questions for Kokomo Groundwater Plume. DDL not specified

---

**From:** Bassler, Rachel  
**Sent:** Friday, August 31, 2018 8:56:43 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** regionalpress  
**Cc:** Kelley, Jeff; Deamer, Eileen  
**Subject:** Re: Kokomo Perspective: Follow Up Questions for Kokomo Groundwater Plume. DDL not specified

The reporter would like to use a quote from our background interview. Below is what we would like for attribution from the RPM. Ok to send?

## Ex. 5 Deliberative Process (DP)

Rachel Bassler  
U.S. EPA Region 5  
[bassler.rachel@epa.gov](mailto:bassler.rachel@epa.gov)  
p: 312-886-7159  
C: Ex. 6 Personal Privacy (PP)

On Aug 28, 2018, at 2:14 PM, regionalpress <[regionalpress@epa.gov](mailto:regionalpress@epa.gov)> wrote:

Good to go

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
Ex. 6 Personal Privacy (PP) **(mobile)**

---

**From:** Bassler, Rachel  
**Sent:** Tuesday, August 28, 2018 3:14 PM  
**To:** regionalpress <[regionalpress@epa.gov](mailto:regionalpress@epa.gov)>  
**Cc:** Kelley, Jeff <[kelley.jeff@epa.gov](mailto:kelley.jeff@epa.gov)>; Deamer, Eileen <[deamer.eileen@epa.gov](mailto:deamer.eileen@epa.gov)>  
**Subject:** Kokomo Perspective: Follow Up Questions for Kokomo Groundwater Plume. DDL not specified

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**Proposed A:** **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

**Q: What are potential remediation methods that could be utilized? Or, what methods have been explored?**

**Proposed A:** **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

Rachel Bassler  
Press Officer  
U.S. EPA Region 5  
[bassler.rachel@epa.gov](mailto:bassler.rachel@epa.gov)  
p: 312-886-7159  
C: **Ex. 6 Personal Privacy (PP)**

**From:** [dzimmerman@kokomoperspective.com](mailto:dzimmerman@kokomoperspective.com) [<mailto:dzimmerman@kokomoperspective.com>]  
**Sent:** Monday, August 27, 2018 1:14 PM  
**To:** Bassler, Rachel <[Bassler.Rachel@epa.gov](mailto:Bassler.Rachel@epa.gov)>  
**Subject:** RE: Kokomo Indiana media inquiry

Good afternoon Rachel,

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I have a few follow-questions after our interview a few weeks ago.

You referred me to IDEM concerning possible remediation of the site, and after reaching out to them they said their role was evaluating the site and their assessment would be used to determine possible remediation plans.

So, where exactly is the EPA in determining what can be done to the site? An IDEM rep said you were very early in that process, and I'm trying to figure out the best way to categorize the matter.

What are potential remediation methods that could be utilized? Or, what methods have been explored?

I appreciate you looking at these.

Best,

Devin Zimmerman  
Kokomo Perspective



765-553-5041

Message

---

**From:** Tatiana Schlossberg [Ex. 6 Personal Privacy (PP)]  
**Sent:** 8/31/2018 8:36:31 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Press Inquiry about Coal Ash

Thank you very much! Have a good holiday.  
Tatiana

On Fri, Aug 31, 2018 at 3:43 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Tatiana,

Attached, and for attribution to “an EPA Spokesperson,” please.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

[Ex. 6 Personal Privacy (PP)] (M)

---

**From:** Jones, Enesta  
**Sent:** Thursday, August 30, 2018 10:05 AM  
**To:** Tatiana Schlossberg [Ex. 6 Personal Privacy (PP)]  
**Cc:** AO OPA Media Relations <AO\_OPA\_Media\_Relations@epa.gov>  
**Subject:** Re: Press Inquiry about Coal Ash

Hi again, Tatiana, we *should* have a response to you tomorrow. You’ll be hearing back from a colleague while I’m on vacation.

On Aug 22, 2018, at 11:23 AM, Tatiana Schlossberg [Ex. 6 Personal Privacy (PP)] wrote:

Hi there,

Thanks so much for getting back to me. Here are my questions:

How does the new rule change what coal-fired power plants are required or expected to do with their coal ash? What were EPA's objections to the rule as published under the previous administration?

What is the rationale for allowing groundwater monitoring to be performed by a state official rather than by a certified professional engineer or similar? Do all leaking ponds/dams found going forward need to be closed and what is the timeline for that? How can EPA ensure that leaking ponds are properly reported (and subsequently closed) without 3rd party authentication? Will EPA continue to perform inspections?

How does the decision to let Oklahoma (and any subsequent states that may also get approval) do its own monitoring, permitting and enforcement interact with the national rule? I have seen a report from Earthjustice and the Environmental Integrity Project that found that every coal ash pond in Oklahoma is leaking, so what happens to that now? It would seem that Oklahoma state agencies have been lax on enforcement, so now that EPA is not responsible for the state, how will EPA ensure that there is adequate oversight?

My deadline is August 31.

Thank you so much for your help.

Tatiana

On Mon, Aug 20, 2018 at 8:50 AM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Tatiana, hi.

What are your specific questions and firm deadline?

On Aug 18, 2018, at 10:55 AM, Tatiana Schlossberg <Ex. 6 Personal Privacy (PP)> wrote:

Dear Ms. Lynn.

I'm a journalist working on a book about climate change and the environment, and I am writing a little bit about coal ash, generally. I have written about the issue in the past, but not before the recent revision to the CCR rule. I am wondering if you or someone at EPA might be able to explain to me how the new rule changes the regulations around coal ash ponds and landfills. Please feel free to give me a call at Ex. 6 Personal Privacy (PP) or let me know if there's a good way or time to reach you.

Thanks very much!

Tatiana Schlossberg

Message

---

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 8/27/2018 8:54:36 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Media inquiry: Snopes.com

Good to know.

---

**From:** Daguillard, Robert  
**Sent:** Monday, August 27, 2018 4:32 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Media inquiry: Snopes.com

Flagging: I'll send the outlets response to the toxics program. Please note the outlet's concluding paragraph:

We are planning on correcting some supporting elements in the original fact check, but for the reasons described above, we do not plan on changing the rating.

We are also planning on running an additional story regarding the PR campaign the EPA has apparently initiated to defend their SNUR, which will explain in more detail why we are not changing the rating. **We would appreciate any comments on the above concerns, as our story will run tomorrow.**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Alex Kasprak [mailto:alex@snopes.com]  
**Sent:** Monday, August 27, 2018 4:29 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Cc:** David Mikkelsen <snopes@snopes.com>  
**Subject:** Re: Media inquiry: Snopes.com

Hello Robert,

I have read through your comments on our piece, spoken with outside experts, and conducted further research. I agree that a clarification is in order regarding the legal status of currently unregulated asbestos. I am in error in saying that "new uses" — as legally defined in EPA court rulings — were previously banned.

I disagree with your assertion, at least as argued in the document you sent me, that the proposed SNUR does not allow for novel asbestos uses to be approved for use in the future. My primary reason for this disagreement is the suggestion that you are committing to a complete ban on all currently unregulated uses of asbestos when it appears you are not.

My understanding of this SNUR is that it is an enforceable prohibition only for specifically defined uses:

Adhesives, sealants, and roof and non-roof coatings;  
arc chutes;  
beater-add gaskets;  
extruded sealant tape and other tape;  
filler for acetylene cylinders;  
high-grade electrical paper;  
millboard;  
missile liner;  
pipeline wrap;  
reinforced plastics;  
roofing felt;  
separators in fuel cells and batteries;  
vinyl-asbestos floor tile;  
and any other building material (other than cement).

As a result of that stipulation, any conceivable use in the future that *does not* fall into those categories would, in fact, not be required to undergo any risk evaluation, and therefore “may begin at any time, without any regulatory barriers.” Please correct me if I am wrong in this assertion.

I take exception, as well, with your framing of the issue to suggest that the Obama administration had the chance to block these uses and did not. A 25 April 2018 [email](#) to members of the asbestos SNUR team from Robert Courtnage, obtained by the *New York Times*, pretty clearly shows that that the original plan for the SNUR was, in fact, to affect a blanket ban on all unregulated uses, but “upper management” requested “a different approach”:

After sharing a draft of the proposed SNUR, OCSPP upper management asked us to take a different approach. Instead of requiring a significant new notice (SNUN) for all uses that are not ongoing, after listing and clarifying the currently ongoing uses would not require a SNUN, they have instead asked us to specifically list out certain uses that are no longer ongoing that will require a SNUN.

More generally, your framing of the SNUR regarding asbestos seems to overlook the possibility that any other uses which pass the safety review would, in fact, be approved for use. While I understand the argument that technically these unregulated uses were already allowed, I find that assertion to also be misleading. Your process, in theory, could bestow legal protections upon some of these unregulated uses (as long as they pass your safety review), and although the result may not be a “new use” as understood by the Fifth Circuit Court of Appeals, it would certainly be a “new use” as understood by the average American.

We are planning on correcting some supporting elements in the original fact check, but for the reasons described above, we do not plan on changing the rating.

We are also planning on running an additional story regarding the PR campaign the EPA has apparently initiated to defend their SNUR, which will explain in more detail why we are not changing the rating. **We would appreciate any comments on the above concerns, as our story will run tomorrow.**

Best,

Alex Kasprak

On Fri, Aug 24, 2018 at 1:56 PM, Alex Kasprak <[alex@snopes.com](mailto:alex@snopes.com)> wrote:

Thank you. Let me review these over the weekend and get back to you on Monday with any questions or concerns. Broadly, I am having trouble squaring how you describe the SNUR process in this critique with your assertion that the proposed SNUR process does not provide a framework for new uses to be approved.

"The June 2018 proposed rule would ban the identified new uses of asbestos and, therefore, would require EPA to evaluate any intended new use of asbestos and, **when necessary**, continue to disallow uses."

What happens when disallowing its use is not "necessary"? Would that not, then, be a formal approval for a new use that came to light through the SNUR?

Best,

Alex

On Fri, Aug 24, 2018 at 1:36 PM, Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Thanks, Alex. We hope the attached – for attribution to U.S. EPA, please – is helpful.

Let us know if you have any questions or comments.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Alex Kasprak [<mailto:alex@snopes.com>]

**Sent:** Friday, August 24, 2018 4:31 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Re: Media inquiry: Snopes.com

I am. How can I help?

Best,

Alex

On Fri, Aug 24, 2018 at 1:28 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Alex,

Are you the right contact to discuss Snopes' recent post on EPA's regulation of Asbestos?

Thanks in advance.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)



Message

---

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 8/27/2018 8:43:31 PM  
**To:** Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]  
**Subject:** FW: Media inquiry: Snopes.com

Such a joke.

---

**From:** Daguillard, Robert  
**Sent:** Monday, August 27, 2018 4:32 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Media inquiry: Snopes.com

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Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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Adhesives, sealants, and roof and non-roof coatings;  
arc chutes;  
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filler for acetylene cylinders;  
high-grade electrical paper;  
millboard;  
missile liner;  
pipeline wrap;  
reinforced plastics;  
roofing felt;  
separators in fuel cells and batteries;  
vinyl-asbestos floor tile;  
and any other building material (other than cement).

As a result of that stipulation, any conceivable use in the future that *does not* fall into those categories would, in fact, not be required to undergo any risk evaluation, and therefore “may begin at any time, without any regulatory barriers.” Please correct me if I am wrong in this assertion.

I take exception, as well, with your framing of the issue to suggest that the Obama administration had the chance to block these uses and did not. A 25 April 2018 email to members of the asbestos SNUR team from Robert Courtnage, obtained by the *New York Times*, pretty clearly shows that that the original plan for the SNUR was, in fact, to affect a blanket ban on all unregulated uses, but “upper management” requested “a different approach”:

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Alex Kasprak

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Alex

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Thanks, Alex. We hope the attached – for attribution to U.S. EPA, please – is helpful.

Let us know if you have any questions or comments.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Alex Kasprak [<mailto:alex@snopes.com>]

**Sent:** Friday, August 24, 2018 4:31 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Re: Media inquiry: Snopes.com

I am. How can I help?

Best,

Alex

On Fri, Aug 24, 2018 at 1:28 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Alex,

Are you the right contact to discuss Snopes' recent post on EPA's regulation of Asbestos?

Thanks in advance.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

Message

**From:** Block, Molly [block.molly@epa.gov]  
**Sent:** 6/20/2018 12:53:59 PM  
**To:** Schwab, Justin [Schwab.Justin@epa.gov]  
**CC:** Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Dominguez, Alexander [dominguez.alexander@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** RE: FOR REVIEW: Farm World -- Hardship Waiver Question

I can definitely make those changes. Thanks all!!

---

**From:** Schwab, Justin  
**Sent:** Wednesday, June 20, 2018 8:48 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: FOR REVIEW: Farm World -- Hardship Waiver Question

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jun 20, 2018, at 8:42 AM, Block, Molly <block.molly@epa.gov> wrote:

Thanks! I made those two edits and **Ex. 6 Personal Privacy (PP)** And lastly on E15, we

## Ex. 5 Deliberative Process (DP)

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**From:** Schwab, Justin  
**Sent:** Wednesday, June 20, 2018 8:35 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: FOR REVIEW: Farm World -- Hardship Waiver Question

I'd change **Ex. 5 Deliberative Process (DP)**

And I'd change **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jun 20, 2018, at 8:29 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Thoughts on the following response? I've pared down something we've used before. In terms of **Ex. 5 Deliberative Process (DP)** Thanks all!

## Ex. 5 Deliberative Process (DP)

Additional background (not for attribution):

- 
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## Ex. 5 Deliberative Process (DP)

**From:** [Jnstrickler@protonmail.com](mailto:Jnstrickler@protonmail.com) [<mailto:Jnstrickler@protonmail.com>]

**Sent:** Tuesday, June 19, 2018 11:46 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Farm World -- Hardship Waiver Question

Hi Mr. Daguillard,

My name is Jordan Strickler and I am a freelance writer for Farm World News. I have been covering the RFS hardship waiver news for our paper recently and just had a couple of questions, I was hoping I could have answered.

The first is, what is the formula for deciding a "hardship"? If there is none currently, do you think that there might be a standard in the future? The second is what do you think the chances are that the EPA would allow E-15 year round.

Any help with one or both of those questions would be greatly appreciated.

Thanks!

Jordan Strickler  
859-229-9699  
[jnstrickler@protonmail.com](mailto:jnstrickler@protonmail.com)

Message

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**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 8/15/2018 7:55:43 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Grantham, Nancy [Grantham.Nancy@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov]  
**Subject:** Open Inquiries, 8/15/18

There are two inquiries received in the press box with no response. (Note:

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

There are four inquiries in the press box awaiting 3<sup>rd</sup> floor approval.

**No response so far (2)**

**From:** Daguillard, Robert  
**Sent:** Wednesday, August 15, 2018 1:17 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Fwd: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Third Floor, please advise on next steps.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
**Ex. 6 Personal Privacy (PP)** (M)  
202-564-6618 (O)

Begin forwarded message:

**From:** Gregory Meyer <gregory.meyer@ft.com>  
**Date:** August 15, 2018 at 12:53:23 PM EDT  
**To:** [daguillard.robert@epa.gov](mailto:daguillard.robert@epa.gov)  
**Subject:** Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Dear Mr. Daguillard:

I am a reporter at the Financial Times, writing with a query about the RFS.

The 2019 RVO proposed rulemaking states that EPA evaluated "petitions for exemption from 20 small refineries for the 2016 RFS standards (3 of which were owned by a small refiner) and 29 small refineries for the 2017 RFS standards (8 of which were owned by a small refiner)."

How many exemptions were granted for 2016 and 2017? Industry sources say all of the petitions were granted, and I would like to confirm this with EPA.

My deadline is today.

Thanks and regards,



Gregory Meyer  
Markets reporter  
Financial Times  
Work phone: +1 917 551 5133  
Mobile phone: Ex. 6 Personal Privacy (PP)  
[gregory.meyer@ft.com](mailto:gregory.meyer@ft.com)

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**From:** Milbourn, Cathy  
**Sent:** Wednesday, August 15, 2018 2:10 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Interview inquiry: EPA Deputy Administrator Thomas Burke

All:

Here's a request to interview Tom Burke, former head of ORD. I explained to Victoria that Tom is no longer with the agency, and I am no longer in the press office. Her request for an interview and what she's looking for is outlined below.

cm

**From:** Victoria [<mailto:victoria@codecprime.com>]  
**Sent:** Wednesday, August 15, 2018 1:30 PM  
**To:** Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>  
**Subject:** Interview inquiry: EPA Deputy Administrator Thomas Burke

Dear Cathy,

Hope all is well this beautiful summer afternoon.

I'm reaching out to kindly request an interview with Thomas Burke regarding EPA's comprehensive and multiyear assessment of the potential impacts of hydraulic fracturing on drinking water.

As I understood hydraulic fracturing has not led to widespread impact to drinking water. In addition only a small number of contamination cases were found. We were hoping Mr. Burke might be able to allocate 20-25 min of his time to elaborate on the subject. The interview is for educational video material for high school & college students.

The edu materials are funded by 1,000 Shots Inc.

If the interview could be scheduled for sometime between Aug 17th and Sept 30th that would be wonderful!

Please don't hesitate to contact me should there be any questions. I'll be happy to assist.

Look forward to hearing from you.

Warm regards,

Victoria Prima

*Production Coordinator*

*CODEC PRIME, INC.*

Cell: Ex. 6 Personal Privacy (PP)

[victoria@codecprime.com](mailto:victoria@codecprime.com)

+++++

**Awaiting 3<sup>rd</sup> floor approval (4)**

**From:** Lynn, Tricia

**Sent:** Wednesday, August 15, 2018 3:30 PM

**To:** Press <Press@epa.gov>

**Subject:** FOR REVIEW: Hotel Management Magazine (Elliott Mest) RE: TV Recycling (8/16)

Reporter is asking about TV recycling. Elliott Mest, Hotel Management Magazine.

**Suggested Response:**

For attribution to “an EPA spokesperson,”

**1. What are the dangers of improperly disposing of TV-related waste to the environment, and what are the legal ramifications?**

**Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

3. What should hotel operators know about the process before they begin?

## **Ex. 5 Deliberative Process (DP)**

4. What are some common mistakes that hotel operators make during the disposal process?

**Ex. 5 Deliberative Process (DP)**

5. How can hotels go above and beyond during this process?

## **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

**From:** Elliott Mest [<mailto:emest@questex.com>]  
**Sent:** Thursday, August 09, 2018 5:07 PM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Re: Press Inquiry: Hotel Management Magazine TV Recycling Article

Hi Tricia,

Great! My deadline for this story is next Thursday, August 16. Here are the questions I would like to ask:

1. What are the dangers of improperly disposing of TV-related waste to the environment, and what are the legal ramifications?
2. How are hotels recommended to dispose of electronic waste?
3. What should hotel operators know about the process before they begin?
4. What are some common mistakes that hotel operators make during the disposal process?
5. How can hotels go above and beyond during this process?

Thank you,  
Elliott

**From:** "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Date:** Wednesday, August 8, 2018 at 3:57 PM  
**To:** Elliott Mest <[emest@questex.com](mailto:emest@questex.com)>  
**Subject:** RE: Press Inquiry: Hotel Management Magazine TV Recycling Article

Hi Elliott—

Thanks so much for your inquiry. I'm happy to help get you the information you need.

Before I can reach out to our subject matter experts, I need a bit more information from you.

First, can you please share your deadline for receiving the information?

Second, can you please send a list of your specific questions?

Thanks again. I look forward to hearing from you at your earliest convenience.

--Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

**From:** Elliott Mest [<mailto:emest@questex.com>]  
**Sent:** Wednesday, August 8, 2018 3:04 PM  
**To:** Mears, Mary <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>  
**Subject:** Press Inquiry: Hotel Management Magazine TV Recycling Article

Hi Mary,

I was wondering if you could help me get in contact with someone for an operations-based TV story in Hotel Management magazine? The story will encompass sustainable recycling of legacy TVs as new devices are cycled into hotels. The story will cover what hoteliers should know ahead of time, what the process entails, and why recycling these devices matters.

Thank you,  
Elliott

---

Elliott Mest | Associate Editor  
HOTEL MANAGEMENT  
757 Third Avenue New York, NY 10017  
[emest@questex.com](mailto:emest@questex.com)  
[@celvest](https://www.celvest.com)  
T: 212 895 8288  
[hotelmanagement.net](http://hotelmanagement.net)

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**From:** Daguillard, Robert  
**Sent:** Wednesday, August 15, 2018 2:46 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** FW: Glyphosate and cereals, oats

I'd direct her, on background, to

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Mihir Zaveri [<mailto:mihir.zaveri@nytimes.com>]  
**Sent:** Wednesday, August 15, 2018 2:39 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Glyphosate and cereals, oats

Hi, would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?

On Wed, Aug 15, 2018 at 1:22 PM Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:  
Hullo Mihir,

For attribution to "an EPA Spokesperson," please:

As stated in our [December 2017 announcement](#), EPA's draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency's scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA's human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our [Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential](#).

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Aug 15, 2018, at 11:35 AM, Mihir Zaveri <[mihir.zaveri@nytimes.com](mailto:mihir.zaveri@nytimes.com)> wrote:

Thank you -- appreciate your acknowledgement!

Mihir

On Wed, Aug 15, 2018 at 11:34 AM Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Good morning Mihir,

A quick work to acknowledge receipt. We'll be in touch soon.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Mihir Zaveri [<mailto:mihir.zaveri@nytimes.com>]

**Sent:** Wednesday, August 15, 2018 11:26 AM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Glyphosate and cereals, oats

Hello, this is Mihir Zaveri, I'm a reporter with The New York Times. I'm working on a story today about this [new report](#) from the Environmental Working Group that shows certain levels of the chemical "glyphosate" in cereal, granola, and other food products.

I'm sure you have been over these points before, but the report suggests that glyphosate is linked to cancer, and supports that notion with a WHO agency designation and California state designation as well as the recent settlement in California earlier this month. The report further suggests that the levels of glyphosate that they found could particularly put children at risk.

Hoping to get an answer to some questions:

- It's my understanding that the federal government does not consider glyphosate to be linked to cancer, is this true?
- Are there any risks associated with glyphosate for parents, or general population, to be concerned about?
- Why is there this dissonance between what federal regulators say and what, for example, the state of California says regarding Glyphosate?
- How would EPA respond to the public who might read this EWG report and be scared that their children might not be safe if they eat these foods? Or others?
- The EWG scientists assert that glyphosate applied later in a crop cycle reflects an increased risk compared to that applied earlier in the cycle. Is there any reason to challenge this notion?
- When do the draft risk assessments published in December become final and what more is there to do in that process?

Thank you, I am writing this story today and it will go online later this afternoon.

Thank you,  
Mihir

+++++

**From:** Daguillard, Robert  
**Sent:** Wednesday, August 15, 2018 2:13 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: ABC Australia request

Ex. 5 Deliberative Process (DP) ?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Stephanie March [mailto:March.Stephanie@abc.net.au]  
**Sent:** Wednesday, August 15, 2018 1:38 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: ABC Australia request

Thank you Robert for the quick reply. Will you be getting back to me on the interview request and IG query or will they be handled by a different department?

Thanks again,

Stephanie



**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Wednesday, 15 August 2018 1:26 PM  
**To:** Stephanie March <[March.Stephanie@abc.net.au](mailto:March.Stephanie@abc.net.au)>  
**Subject:** Re: ABC Australia request

Good afternoon (morning to you),

For attribution to “an EPA Spokesperson,” please:

As stated in our [December 2017 announcement](#), EPA’s draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency’s scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA’s human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019.

The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our [Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential](#).

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Aug 15, 2018, at 12:59 PM, Stephanie March <[March.Stephanie@abc.net.au](mailto:March.Stephanie@abc.net.au)> wrote:

Hello,

I'm a reporter with *Four Corners*, Australia’s pre-eminent investigative documentary program.

At the moment we are doing a story on the Monsanto vs Johnson case and the broader debate over Glyphosate.

Would an EPA spokesperson be available for a pre-recorded, on-camera interview for this story?

Secondly, can you provide an update on where the agency's Inspector General report into this issue is at? Is it still underway? Is there a completion date?

Thirdly, when will the EPA review of Glyphosate be completed? Is any information available aside from the draft risk assessment released in December 2017?

Our deadline for the interview and information on the IG report and product review is September 10.

By way of background, our program is a 45-minute documentary show that covers the big issues confronting Australian society and the world; our films are often syndicated and rebroadcast around the globe. The program has been on air for over 50 years and has a well founded reputation for unbiased evidence based investigations. Over the years investigations by Four Corners have prompted Royal Commissions, significant changes in criminal justice policies and been referenced in UN inquiries. Our international equivalents are BBC Panorama and PBS Frontline.

Our website, which carries archived episodes, is here: [www.abc.net.au/4corners](http://www.abc.net.au/4corners)

If you have any questions you would like to discuss by phone please call me on the number below.

Best regards,

Stephanie March

North America Correspondent, Washington DC

Australian Broadcasting Corporation

Phone: +1 (202) 699 2437

Email: **Ex. 6 Personal Privacy (PP)**

Email: [march.stephanie@abc.net.au](mailto:march.stephanie@abc.net.au)

Twitter: @steph\_march

Skype: steph\_march

-

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+++++

**From:** Daguiard, Robert

**Sent:** Wednesday, August 15, 2018 3:16 PM

**To:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>

**Cc:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** John K: Open Inquiries, 8/14/18

John, here's ORD's response. Please advise if this is OK to send as amended:

"Hi Robert & Enesta- just little tweaks. It was **Ex. 5 Deliberative Process (DP)**

**Response:** **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Konkus, John  
**Sent:** Tuesday, August 14, 2018 3:55 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>; Block, Molly <block.molly@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Daguiard, Robert <Daguiard.Robert@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** RE: Open Inquiries, 8/14/18

Who in ORD approved this response: Response: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

You can say Ex. 5 Deliberative Process (DP)

Everything else is good to go.

Thank you Enesta!

**From:** "Daguiard, Robert" <Daguiard.Robert@epa.gov>  
**Date:** August 13, 2018 at 12:08:14 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: UNDARK - DDL 8/14 - Questions for EPA -- glyphosate story

SUMMARY: The reporter is taking a look at questions surrounding the glyphosate issue paper and the more recent conversations between the agency and the glyphosate SAP. The reporter originally wanted an interview with Anna Lowit, but both she and Rick Keigwin, the pesticides chief, are out this week. Also, the program feels

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

He wants to hand in a first draft to his story this week, but will almost certainly return with more questions next week. Michael Balter – Undark (MIT publication) – [michael.balter@gmail.com](mailto:michael.balter@gmail.com)

**Incoming:** Dear Robert,

Over the weekend I had a chance to read the above document dated December 14, 2015.

I don't know if you are familiar with this document but it takes issue with a number of aspects of the OPP's Issue paper, some along the lines of the SAP members' critiques.

At the end the ORD offers to work with OPP to develop the charge questions put to the SAP in Dec 2016.

Did the OPP in fact accept input from ORD in preparing those questions, or otherwise work with ORD to revise its assessment in any way?

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 10/12/2018 6:43:40 PM  
**To:** Press [Press@epa.gov]  
**Subject:** For Review: NY Times/ProPublica - Biodiesel - RFS documents

The reporter seems to be having trouble accessing comments on RFS-related analyses and other docket documents dating back to 2010, despite our response and instructions from September 5. The program hopes the following clarification – and more precise instructions – will help. Please advise whether this is good to send on background:

**RESPONSE:** **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Abrahm Lustgarten [mailto:Abrahm.Lustgarten@propublica.org]  
**Sent:** Tuesday, October 09, 2018 1:43 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

**Robert,**

I'm writing again to follow up on the part of my request asking where public records are kept of comments from past fuels policies... (per below). That was something you were going to get back to me about. Can I expect a response? These are documents I'm told should be in the docket for the lifecycle analysis related to the RFS program, and I believe they are not.

(And yes – prior to publication, I will still be submitting questions to EPA to address the issues you have declined to offer interviews about).

Thank you, hoping for a response here, its been months now.

Regards,  
Abrahm Lustgarten  
917-589-1262

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Wednesday, September 5, 2018 at 10:13 AM  
**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>  
**Subject:** RE: Abrahm: Your questions for EPA on biodiesel?

Abrahm, thanks for message. I don't know how useful a chat this afternoon would be, as I don't personally have subject matter expertise in biodiesels. That's why I've deferred until now to senior staff in our transportation and air quality program.

Having said this, I'm glad you're considering sending us written questions. I'm sorry if I didn't mention before that we'd find those hugely helpful, if only to decide who in the program would best address the specific points you want to raise in your reporting. I may have told you before how often we get questions directed to a specific researcher or official, only to find out they're best answered by a number of people, or by a series of offices altogether.

The program will work hard to return solid, useful responses to whatever questions you decide to send us.

I hope this helps. Let me know.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Abrahm Lustgarten [<mailto:Abrahm.Lustgarten@propublica.org>]  
**Sent:** Wednesday, September 05, 2018 12:19 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Robert,

Thank you for the reply. Are you available to speak by phone later today? What you've offered here does not really say anything or answer any questions. The links do not appear to provide any of the draft materials or public comments which I asked for access to. This after more than 5 weeks of waiting.

This won't help my reporting in any way, unfortunately, and I'm further concerned by the apparent lack of access to public material including the comments.

You have not specifically addressed my request for interviews. Can you explain if they are being denied and why? If I submit detailed questions to you which actually pertain to my reporting, will EPA answer them?

Without this how would you expect substantive reflection of EPA interests and efforts in the New York Times and ProPublica?

Regards,  
Abrahm

Sent from my iPhone

On Sep 5, 2018, at 11:58 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Abrahm, on background – i.e., for attribution to U.S. EPA, please:

**As required by the Clean Air Act, EPA evaluated the lifecycle greenhouse gas (GHG) emissions associated with biofuels used under the Renewable Fuel Standard (RFS) program. The statute says that lifecycle GHG emissions include “direct emissions and significant indirect emissions from land use changes)...” A draft lifecycle GHG analysis (LCA) of soybean-oil biodiesel was conducted for the May 2009 RFS proposed rule (<https://www.gpo.gov/fdsys/pkg/FR-2009-05-26/pdf/E9-10978.pdf>). After extensive public comment, a public workshop, and peer review, the final soy biodiesel LCA results were published in the March 2010 RFS2 rule (<https://www.epa.gov/renewable-fuel-standard-program/renewable-fuel-standard-rfs2-final-rule>). Due to time constraints, the March 2010 RFS2 rule did not include an LCA of palm oil biodiesel, but the preamble stated our intention to conduct one. After extensive data gathering and modeling, we published and sought comment on our palm oil LCA in a January 2012 Notice of Data Availability (<https://www.epa.gov/renewable-fuel-standard-program/learn-more-about-notice-data-availability-noda-renewable-fuels>).**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Abrahm Lustgarten [<mailto:Abrahm.Lustgarten@propublica.org>]  
**Sent:** Thursday, August 30, 2018 6:19 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Robert,

Just following up to keep these requests alive. Could you at least point me to the public records?

Thank you,  
Abrahm

Sent from my iPhone

On Aug 10, 2018, at 1:58 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Abrahm.

Yesterday, you did, in fact, ask us about public comments and minutes for RFS NODAS and LCA studies. Also, your e-mail from last Friday expressed interest in discussing several things, including EPA's process for evaluating feedstocks for biodiesel, or the Agency's consideration of indirect land use change. It is my understanding that our fuels and transportation staff had been working on a response for you.

Having said this, you're more than welcome to send us more specific questions. Regardless of how we get there, we will send you good, solid responses.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Abrahm Lustgarten [<mailto:Abrahm.Lustgarten@propublica.org>]  
**Sent:** Friday, August 10, 2018 4:48 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Robert, again, I have not submitted any questions to you or the EPA. What exactly are they answering and who is answering it? H=Who is expecting that this will meet the needs of my story and news organizations? How do you even know the details of what I am interested in?

Abrahm

---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Friday, August 10, 2018 at 1:24 PM  
**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>  
**Subject:** RE: Abrahm: Your questions for EPA on biodiesel?

Good afternoon Abrahm,



A quick follow-up. I just checked with the fuels and transportation program folks: The person who's working on your questions is out today, so we're now looking at a response no later than the middle of next week.

Sincere apologies for the delay, but we'll get there.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Daguillard, Robert  
**Sent:** Thursday, August 09, 2018 4:57 PM  
**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Thanks Abrahm,

Let me check.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Aug 9, 2018, at 4:54 PM, Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)> wrote:

Robert,

Are the public comments and meeting minutes for each of the RFS NODAS and LCA studies posted on the EPA website somewhere? How can I access those public documents. This would concern the 2009 draft, 2010 final reviews for Ethanol, soy and other feedstocks, and the 2012 Palm oil review.

Thank you,  
Abrahm

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**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Thursday, August 9, 2018 at 9:30 AM  
**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>  
**Subject:** RE: Abrahm: Your questions for EPA on biodiesel?

Good afternoon Abrahm,

Yes, we're working on getting you a written response before the end of the week. Thanks.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

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**From:** Abrahm Lustgarten [<mailto:Abrahm.Lustgarten@propublica.org>]  
**Sent:** Thursday, August 09, 2018 12:27 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Hi Robert,

Checking in on where we stand on this. Think you can help?

Thank you,  
Abrahm Lustgarten  
917-589-1262

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**From:** "Daguiard, Robert" <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Date:** Monday, August 6, 2018 at 9:35 AM  
**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>  
**Subject:** RE: Abrahm: Your questions for EPA on biodiesel?

Good afternoon and thanks, Abrahm. One of the colleagues from Sharyn's office today is out sick today. I believe she'll be back tomorrow. At a minimum, I can update you then. Thanks for your patience.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

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**From:** Abrahm Lustgarten [<mailto:Abrahm.Lustgarten@propublica.org>]  
**Sent:** Monday, August 06, 2018 12:14 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Hi Robert,

I hope you had a good weekend. I wanted to check in with you in hopes I can connect with Sharyn for this story, today?

Thank you,  
Abrahm

---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Friday, August 3, 2018 at 1:27 PM  
**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>  
**Subject:** Abrahm: Your questions for EPA on biodiesel?

Good afternoon Abrahm,

I understand via my colleague Sharyn Lie that you have questions about biodiesel? Thanks in advance for letting us know how we can help. Maybe you'd have time to talk first thing Monday AM?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/15/2018 6:13:21 PM  
**To:** Press [Press@epa.gov]  
**Subject:** FW: ABC Australia request

Ex. 5 Deliberative Process (DP) ?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Stephanie March [mailto:March.Stephanie@abc.net.au]  
**Sent:** Wednesday, August 15, 2018 1:38 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: ABC Australia request

Thank you Robert for the quick reply. Will you be getting back to me on the interview request and IG query or will they be handled by a different department?  
Thanks again,

Stephanie

---

**From:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Sent:** Wednesday, 15 August 2018 1:26 PM  
**To:** Stephanie March <March.Stephanie@abc.net.au>  
**Subject:** Re: ABC Australia request

Good afternoon (morning to you),

For attribution to “an EPA Spokesperson,” please:

As stated in our December 2017 announcement, EPA’s draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency’s scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA’s human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019.

The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our [Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential](#).

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Aug 15, 2018, at 12:59 PM, Stephanie March <[March.Stephanie@abc.net.au](mailto:March.Stephanie@abc.net.au)> wrote:

Hello,

I'm a reporter with *Four Corners*, Australia's pre-eminent investigative documentary program.

At the moment we are doing a story on the Monsanto vs Johnson case and the broader debate over Glyphosate.

Would an EPA spokesperson be available for a pre-recorded, on-camera interview for this story?

Secondly, can you provide an update on where the agency's Inspector General report into this issue is at? Is it still underway? Is there a completion date?

Thirdly, when will the EPA review of Glyphosate be completed? Is any information available aside from the draft risk assessment released in December 2017?

Our deadline for the interview and information on the IG report and product review is September 10.

By way of background, our program is a 45-minute documentary show that covers the big issues confronting Australian society and the world; our films are often syndicated and rebroadcast around the globe. The program has been on air for over 50 years and has a well founded reputation for unbiased evidence based investigations. Over the years investigations by Four Corners have prompted Royal Commissions, significant changes in criminal justice policies and been referenced in UN inquiries. Our international equivalents are BBC Panorama and PBS Frontline.

Our website, which carries archived episodes, is here: [www.abc.net.au/4corners](http://www.abc.net.au/4corners)

If you have any questions you would like to discuss by phone please call me on the number below.

Best regards,

Stephanie March

North America Correspondent, Washington DC  
Australian Broadcasting Corporation  
Phone: +1 (202) 699 2437  
Email: 

Ex. 6 Personal Privacy (PP)

  
Email: [march.stephanie@abc.net.au](mailto:march.stephanie@abc.net.au)  
Twitter: @steph\_march  
Skype: steph\_march

-

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Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 9/10/2018 9:08:24 PM  
**To:** Press [Press@epa.gov]  
**Subject:** For Review: Argus - Affordable Clean Energy rule hearing

Program response. **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Michael Ball [mailto:michael.ball@argusmedia.com]  
**Sent:** Monday, September 10, 2018 11:52 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Affordable Clean Energy rule hearing

Hi,

Does EPA plan to hold any additional hearings beyond the one announced today for Chicago. If not, why just a single hearing?

Thanks

Mike

Michael Ball  
Air Daily Editor

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Yahoo/Skype ID: argusball



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illuminating the markets

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Argus Media Limited has moved offices. Please note our new address below.

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Message

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/14/2018 7:59:32 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]; Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Grantham, Nancy [Grantham.Nancy@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov]  
**Subject:** RE: Open Inquiries, 8/14/18

Thanks, John. The response came from OCSPP, but we can run quickly by ORD.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Jones, Enesta  
**Sent:** Tuesday, August 14, 2018 3:59 PM  
**To:** Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** RE: Open Inquiries, 8/14/18

Tnx John. Robert will have to weigh in the ORD/Undark q.

---

**From:** Konkus, John  
**Sent:** Tuesday, August 14, 2018 3:55 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>; Block, Molly <block.molly@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** RE: Open Inquiries, 8/14/18

Who in ORD approved this response: Response: Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

You can say Ex. 5 Deliberative Process (DP)

Everything else is good to go.

Thank you Enesta!

---

**From:** Jones, Enesta  
**Sent:** Tuesday, August 14, 2018 3:40 PM  
**To:** Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>; Hewitt, James

<hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>

Subject: Open Inquiries, 8/14/18

Seven Awaiting Third Floor Approval:

From: "Jones, Enesta" <Jones.Enesta@epa.gov>

Date: August 14, 2018 at 3:37:03 PM EDT

To: Press <Press@epa.gov>

Subject: For Review: InsideClimate News (Philip McKenna) re NEJAC meeting (DDL: 8/14)

OP/EJ approved response:

## Ex. 5 Deliberative Process (DP)

From: Philip McKenna <phil.mckenna@insideclimatenews.org>

Date: August 14, 2018 at 3:10:51 PM EDT

To: "Jones, Enesta" <jones.enesta@epa.gov>

Subject: Fwd: journalist requesting press pass to attend this week's NEJAC conference in Boston

Hi Enesta,

I'm a journalist covering environmental justice interested in attending tomorrow's NEJAC hearing in person in Boston. I missed the deadline for pre-registration and it appears that seating at the event is limited. Do you know if there is separate registration for members of the media? Also, if I can't attend in person, do you know if there is separate registration for the live teleconference (I missed preregistration for this as well and it also appears to be limited)

Best,

Phil

+++

From: "Jones, Enesta" <Jones.Enesta@epa.gov>

Date: August 14, 2018 at 3:29:23 PM EDT

To: Press <Press@epa.gov>

Subject: For Review: ProPublica (Talia Buford) re NEJAC meeting (DDL: 8/14)

OP/EJ approved response:

## Ex. 5 Deliberative Process (DP)

From: Talia Buford <Talia.Buford@propublica.org>

Date: August 14, 2018 at 2:51:39 PM EDT

To: "Jones, Enesta" <Jones.Enesta@epa.gov>

Cc: "Martin, KarenL" <Martin.KarenL@epa.gov>

Subject: ProPublica re: NEJAC meeting

Hi Enesta,

I'm wondering if you can help me with some information or a solution possibly for an issue I'm having. I'm in New York, and I wanted to listen to the NEJAC meeting today in Boston. The call in option is apparently only for the meeting tomorrow and Thursday – and there's no way for remote people to listen in on the public comment portion tonight. I reached out to Karen, but I assume she's in Boston for the meeting and unavailable via email.

I don't need to listen to it in real time, but I am hoping to listen to this portion of the meeting at some point. Do you know if it will be recorded, or if it can be? Or, if it is possible, if there can be a listen only line set up for the public comment section? I thought the public comment portion would be included in the meeting, and didn't realize until this morning that I had no way to listen to it.

Please let me know if you can help with this.

Thanks,  
Talia Buford  
ProPublica

+++

From: "Lynn, Tricia" <lynn.tricia@epa.gov>

To: "Press" <Press@epa.gov>

Subject: FOR REVIEW: The Environmental Editors (Tricia Hodkiewicz) RE: EPA letter denying UST deadline extension (8/14)

Reporter is asking for the letters EPA sent to Senators and House Members regarding their request for a compliance deadline extension.

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Suggested Response:

**Ex. 5 Deliberative Process (DP)**

From: epaeditors [mailto:epaeditors@jkkeller.com]

Sent: Friday, August 10, 2018 7:37 PM

To: McDermott, Elizabeth <McDermott.Elizabeth@epa.gov> <mailto:McDermott.Elizabeth@epa.gov>>

Subject: request for EPA letter denying UST deadline extension

Elizabeth,

Hello! How may I obtain a copy of the EPA letter or letters (to U.S. Senate and House members) denying requests<<https://www.pmaa.org/advocacy/regulatory-issues/>> for a three-year compliance deadline extension of portions of the 2015 UST rule. The EPA denial letter is described (but not provided) at <http://www.mitchellwilliamsllaw.com/federal-underground-storage-tank-rule-revisions-us-environmental-protection-agency-is-stated-to-have-denied-extension-request> ? However, I could not find it in the docket, and I am eager to obtain a

copy of the EPA letter. Could you please send me a copy?

Thank you for your help!

Best Regards,

Tricia Hodkiewicz, Editor

[<http://www.ijkeller.com/wcsstore/CVCatalogAssetStore/images/global/email-images/white-keller-logo84.png>]

+++

**From:** "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Date:** August 14, 2018 at 11:44:07 AM EDT

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** FOR REVIEW: Global Health Magazine (Cate Montana) RE: Indoor Mold (8/20)

Reporter is asking about indoor mold cleanup. Cate Montana, Global Health Magazine

**Suggested Response:**

-  
For attribution to "an EPA spokesperson"

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

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**From:** Jones, Enesta  
**Sent:** Thursday, August 09, 2018 6:38 PM  
**To:** Cate Montana <[cate@catemontana.com](mailto:cate@catemontana.com)>  
**Cc:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Re: Article on toxic molds

Thanks for speaking to me just now, Cara. I will get this started for Tricia Lynn now and see what's possible — and she'll be in touch when she returns tomorrow.

On Aug 9, 2018, at 6:36 PM, Cate Montana <[cate@catemontana.com](mailto:cate@catemontana.com)> wrote:

Hi Anesta -

I'm writing an article for the global health magazine *What Doctors Don't Tell You* on the impact of the common indoor molds, *Cladosporium*, *Aspergillus*, *Stachybotrys*, *Fusarium*, *Penicillium*, and *Alternaria* on human health.

The reason I'm contacting the EPA is to find out the correct guidelines for dealing with indoor molds—what chemicals to use and what not to use to mitigate mold.

There is so much confusion in the marketplace. For example, household bleach is commonly prescribed as a solution. And yet bleach is contraindicated for porous surfaces and recent studies show bleach can actually promulgate the spread of spores.

I've seen the general recommendations on the EPA website. But I'm looking for specific "safe" product solutions for people who want to deal with a mold problem themselves - the appropriate biocides to use for specific molds. Also, I need to find out what natural products can be used effectively, such as tea tree oil and white vinegar.

Is there someone I can interview on this subject?

My deadline is August 20.

Thanks so much.

Best regards,

Cate  
360-791-9885  
[www.catemontana.com](http://www.catemontana.com)

+++

**From:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Date:** August 14, 2018 at 12:02:07 PM EDT  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Fwd: NC region. TV Interview for PearVideo, CatersNews and TVC.

## Ex. 5 Deliberative Process (DP)

**From:** Marat Sadana <msadana2@ncsu.edu>

**Date:** August 14, 2018 at 11:59:36 AM EDT

**To:** Press <Press@epa.gov>, "Marraccini, Davina" <Marraccini.Davina@epa.gov>

**Subject:** NC region. TV Interview for PearVideo, CatersNews and TVC.

Dear Sir or Madam,

I really appreciate any time you can give me!

My name is Marat Sadana and I am a PhD student at NCSU (communication, rhetoric and digital media) and a professional TV journalist.

I really appreciate any time that you can give. I am working on a project about the climate change, that is going to be a documentary for PearVideo, CatersNews and TVC.

Can you please give me some of time and assist me in finding an interviewee/expert/researcher whom I could interview in the EPA in North Carolina, Durham.

In the interview we will touch upon the unusual high temperatures in the US, Europe and the reasons behind it - global warming and pollution. What is being done now and what will be done in the nearest future to protect the environment. Also, it would be good if we could cover the issue about the quitting the Paris agreement - what consequences is it bringing and will it bring? This is going to be a very general interview - we will not get into the details. Questions about the current US policy on this topic - can be omitted.

The interview will take about 30 minutes. . It has to be In-person interview. As for the b-roll - I will need to have a footage of any EPA building- with the Logo, people come and go - just general b-roll to put the voiceover upon. and the b-roll of the interviewee - s/he comes, walks, shows a chart of a climate change.

I would love to do that within this week, because of the deadlines. Thank you for understanding!

Thank you so much!

Marat Sadana

+++

**From:** "Jones, Enesta" <Jones.Enesta@epa.gov>

**Date:** August 14, 2018 at 8:08:10 AM EDT

**To:** Press <Press@epa.gov>

**Subject:** For Review: The Intercept (Sharon Lerner) re PFAS on TSCA Inventory (Deadline: 8/14)

**Nancy Beck-approved response.**

# Ex. 5 Deliberative Process (DP)

**From:** Sharon Lerner <[sharon.lerner@theintercept.com](mailto:sharon.lerner@theintercept.com)>

**Date:** August 3, 2018 at 10:59:44 AM EDT

**To:** enesta Jones <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Subject:** question re PFAS

Hi Enesta-

I have a question related to PFAS.

On EPA's website --<https://www.epa.gov/pfas/pfas-laws-and-regulations> — it says that there are 478 PFAS on the TSCA Inventory (though the inventory is still “interim” due to inventory reset), 294 of which have been added to the inventory since 2006.

In particular, it says: **330** non-CBI PFAS are listed on the Interim Updated TSCA Inventory. In addition, **148** CBI PFAS are reported.

But at the recent PFAS Summit, Jeff Morris, director of OPPT, reported that “[n]early 900 new PFAS chemicals have come through EPA's TSCA program since 2006.” <https://www.epa.gov/pfas/pfas-national-leadership-summit-materials>

Can you please help me understand this discrepancy? In particular, he says that 900 new PFAS “came through” the TSCA program. Yet the website indicates that only 294 PFAS have been added to the inventory since 2006. What happened to the other 606 PFAS that “came through” the program if they weren't added to the TSCA inventory? Were they exempted for some reason? Did EPA refuse to approve them for distribution in commerce?

I'd really appreciate your help in understanding this.

Thanks,  
Sharon

**Sharon Lerner**  
**Reporter**  
**The Intercept**

+++

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** August 13, 2018 at 12:08:14 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: UNDARK - DDL 8/14 - Questions for EPA -- glyphosate story

SUMMARY: The reporter is taking a look at questions surrounding the glyphosate issue paper and the more recent conversations between the agency and the glyphosate SAP. The reporter originally wanted an interview with Anna Lowit, but both she and Rick Keigwin, the pesticides chief, are out this week. Also, the program

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)** He wants to hand in a first draft to his story this week, but will almost certainly return with more questions next week. Michael Balter – Undark (MIT publication)

**Ex. 6 Personal Privacy (PP)**

**Incoming:** Dear Robert,

Over the weekend I had a chance to read the above document dated December 14, 2015.

I don't know if you are familiar with this document but it takes issue with a number of aspects of the OPP's Issue paper, some along the lines of the SAP members' critiques.

At the end the ORD offers to work with OPP to develop the charge questions put to the SAP in Dec 2016.

Did the OPP in fact accept input from ORD in preparing those questions, or otherwise work with ORD to revise its assessment in any way?

**Response:**

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

**One No Response/Acknowledgement:**

**From:** Kate McCreary <kxm515@case.edu>  
**Date:** August 14, 2018 at 3:15:26 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** Photo Permission - Andrew Wheeler

Hello!

I am reaching out from The Alumni Association of Case Western Reserve University in Cleveland, Ohio.

Mr. Andrew Wheeler is an alumnus of Case Western Reserve University and we are mentioning his EPA appointment in the upcoming issue of our alumni publication, *Think Magazine*.

We would like to include the photo of Mr. Wheeler found on his bio page. Please let me know if we have permission to use the photo in print and online (we will only use this picture in association with the Class Note on Mr. Wheeler). If we have permission to use it, please also provide the preferred photo credit.



Best regards,  
Kate

**Kate McCreary**

Director for Marketing, Communications & Regional Programming  
The Alumni Association | Case Western Reserve University

+++

Message

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**From:** Kelly Franklin [kelly.franklin@chemicalwatch.com]  
**Sent:** 8/14/2018 7:18:10 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: KELLY: Asbestos

Many thanks, Robert.

On Aug 14, 2018, at 3:12 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Kelly, for attribution to "an EPA Spokesperson," please:

- EPA's 1989 asbestos regulation bans asbestos in products that had never contained asbestos before 1989. Existing products that contained asbestos before 1989 but are no longer on the market are not currently restricted by EPA and could enter into the market.
- When EPA identified asbestos as one of the first 10 chemicals for risk evaluation, it began a process where EPA had more than one round of input from stakeholders on understanding asbestos uses.
- Based on that input, the Agency is confident that the uses identified in the SNUR constitute the universe of uses that could come back onto the market if someone wanted to reintroduce the use. Thus the proposed SNUR is a good complement to the risk evaluation.
- Of course to ensure the Agency captures the universe, the proposed rule takes comment on these uses.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

**From:** Kelly Franklin [<mailto:kelly.franklin@chemicalwatch.com>]  
**Sent:** Monday, August 13, 2018 3:56 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: KELLY: Asbestos

Hi Robert,

Thanks for this, and for the fact sheet that EPA put out. I did want to check to see if the agency wanted to provide any specific feedback on the internal emails published by the New York Times on Friday showing concerns with the way that the asbestos SNUR was worded. Is there any validity to the concerns raised that the list of uses in the SNUR might not be exhaustive and "potentially leave[s] holes for legacy uses to be reinstated"?

My deadline is 9:00am Wednesday.

Thanks again,  
Kelly

On 7 August 2018 at 20:12, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good evening Kelly,

“ “The press reports on this issue are inaccurate. Without the proposed Significant New Use Rule (SNUR) EPA would not have a regulatory basis to restrict manufacturing and processing for new asbestos uses. The EPA action will prohibit companies from manufacturing, importing, or processing for new uses of asbestos covered by the rule unless they receive approval from EPA.” – EPA spokesman”

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

--

**Kelly Franklin**

North America Editor  
Chemical Watch

Mobile: Ex. 6 Personal Privacy (PP)  
Email: [kelly.franklin@chemicalwatch.com](mailto:kelly.franklin@chemicalwatch.com)  
[www.chemicalwatch.com](http://www.chemicalwatch.com)



Message

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**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 8/14/2018 7:11:18 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW: Chemical Watch (K. Franklin) - Asbestos - 8/15

Good to send.

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, August 14, 2018 2:12 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Chemical Watch (K. Franklin) - Asbestos - 8/15

From the program. **Ex. 5 Deliberative Process (DP)**

**Incoming:** I did want to check to see if the agency wanted to provide any specific feedback on the internal emails published by the New York Times on Friday showing concerns with the way that the asbestos SNUR was worded. Is there any validity to the concerns raised that the list of uses in the SNUR might not be exhaustive and "potentially leave[s] holes for legacy uses to be reinstated"?

**Response:**

- 
- 
- **Ex. 5 Deliberative Process (DP)**
- 

**From:** Kelly Franklin [mailto:kelly.franklin@chemicalwatch.com]  
**Sent:** Monday, August 13, 2018 3:56 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: KELLY: Asbestos

Hi Robert,

Thanks for this, and for the fact sheet that EPA put out. I did want to check to see if the agency wanted to provide any specific feedback on the internal emails published by the New York Times on Friday showing concerns with the way that the asbestos SNUR was worded. Is there any validity to the concerns raised that the list of uses in the SNUR might not be exhaustive and "potentially leave[s] holes for legacy uses to be reinstated"?

My deadline is 9:00am Wednesday.

Thanks again,  
Kelly

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Good evening Kelly,

“ “The press reports on this issue are inaccurate. Without the proposed Significant New Use Rule (SNUR) EPA would not have a regulatory basis to restrict manufacturing and processing for new asbestos uses. The EPA action will prohibit companies from manufacturing, importing, or processing for new uses of asbestos covered by the rule unless they receive approval from EPA.” – EPA spokesman”

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

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**Kelly Franklin**

North America Editor  
Chemical Watch

Mobile: Ex. 6 Personal Privacy (PP)  
Email: [kelly.franklin@chemicalwatch.com](mailto:kelly.franklin@chemicalwatch.com)  
[www.chemicalwatch.com](http://www.chemicalwatch.com)

**ChemicalWatch**  
GLOBAL RISK & REGULATION NEWS

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/13/2018 1:35:08 PM  
**To:** Kevin Elliott [kevinelliott@downtownpublications.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Formaldehyde, IRIS & TSCA Assessments

Kevin, for attribution to “an EPA Spokesperson,” please:

**Q1: In regard to TSCA, will formaldehyde undergo any assessment?**

By December of 2019, TSCA requires EPA to have 20 chemicals designated as high-priority and undergoing risk evaluations and 20 chemicals designated as low-priority. Additionally, under TSCA and as detailed in the risk evaluation framework rule, EPA must ensure that at least 50 percent of all the chemicals on which risk evaluations are being conducted at any given time are drawn from the 2014 Work Plan. Formaldehyde is listed on the Work Plan and will be considered for risk evaluation along with all other chemicals on the Work Plan. Manufacturers may also request that EPA conduct risk evaluations for specific chemicals.

For more details, the risk evaluation process under TSCA is described in the risk evaluation rule:

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluations-existing-chemicals-under-tsca>

**Q2: Could you provide some general information on where the current IRIS assessment of formaldehyde is at, and when that may be released for public comment?**

ORD is currently developing a new approach of soliciting program input on current and future IRIS assessments, to ensure IRIS assessment activities are focused on the highest priority needs. The formaldehyde assessment will be included in this activity, which will inform our next steps.

**Q3: Could you speak to the changes that were undertaken at IRIS in regard to the way assessments are done, including the formaldehyde assessment and others since 2014?**

Over the past 1.5 years, ORD has been responding to NAS and GAO comments and recommendations about the IRIS program. For example, IRIS increased transparency by engaging with stakeholders earlier in assessment development, and IRIS has fully implemented the principles of systematic review, which creates a clearer evaluation of the underlying science. These and other actions were presented to the NAS this past winter. NAS concluded that EPA made substantial progress, and GAO has noted significant improvement in their high-risk criteria ratings. EPA is also instituting a process where EPA programs and regions will request specific assessments - outlining exactly what they need and why, plus a timeline.

**Q4: What is EPA's current position on formaldehyde risks, particularly as it relates to carcinogens. Is it known or suspected as a carcinogen? Is there consensus yet as to what cancer(s) that includes. Will the IRIS assessment speak to this [cancer issue?**

EPA's existing IRIS assessment for formaldehyde is available

at: [https://cfpub.epa.gov/ncea/iris2/chemicalLanding.cfm?&substance\\_nmbr=419](https://cfpub.epa.gov/ncea/iris2/chemicalLanding.cfm?&substance_nmbr=419). In that assessment, EPA identified formaldehyde as a *probable human carcinogen*, based on the incidence of nasal squamous cell carcinomas. The IRIS formaldehyde assessment is under development to evaluate potential noncancer and cancer health effects that result from chronic inhalation exposure.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

**From:** Kevin Elliott [mailto:kevinelliott@downtownpublications.com]  
**Sent:** Tuesday, August 07, 2018 9:39 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Formaldehyde, IRIS & TSCA Assessments

Robert,

We go to press next week, so I do have some flexibility. The story will need to be turned in end of the day Friday, with a little room for edits until Monday morning. After that it goes to production.

On Tue, Aug 7, 2018 at 9:26 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Kevin, a quick follow-up: Are you planning to publish your story later this week? Could we get back to you by, say, Thursday or Friday? Asking as you seem to be in the information-gathering stage, and to have some flexibility. Happy to discuss.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

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**From:** Daguillard, Robert  
**Sent:** Tuesday, August 07, 2018 8:00 AM  
**To:** Kevin Elliott <kevinelliott@downtownpublications.com>  
**Cc:** Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>; Bassler, Rachel <Bassler.Rachel@epa.gov>  
**Subject:** Re: Formaldehyde, IRIS & TSCA Assessments

Good morning Kevin,

A quick word to acknowledge receipt. I'll be in touch.

Cheers, R.

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Aug 6, 2018, at 10:17 PM, Kevin Elliott <[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)> wrote:

Robert,

I'm working on a story about formaldehyde for our September edition of Downtown Newsmagazine in suburban Detroit. The story is focusing on the health risk of formaldehyde, the EPA's ongoing IRIS assessment of formaldehyde, and the next steps that would occur after the IRIS assessment process is complete.

Could you provide some general information on where the current IRIS assessment of formaldehyde is at, and when that may be released for public comment?

I understand that the assessment was revamped after several years ago after the NAS reviewed IRIS's assessment and critiqued the processes that were used. Could you speak to the changes that were undertaken at IRIS in regard to the way assessments are done, including the formaldehyde assessment and others since 2014?

What is EPA's current position on formaldehyde risks, particularly as it relates to carcinogens. Is it known or suspected as a carcinogen? Is there consensus yet as to what cancer(s) that includes. Will the IRIS assessment speak to this issue?



What steps will take place after the assessment is released?

In regard to TSCA, will formaldehyde undergo any assessment?

Finally, is it possible that Nancy Beck, EPA Deputy Assistant Administrator with the Office of chemical Safety and Pollution Prevention might be available for any comments or a brief phone interview? I believe her experience under three different administrations and work in the industry gives her a unique perspective on toxics and the direction the EPA will be taking in regard to their regulation.

As I stated, I'm hoping to wrap up some basic questions early this week, but I could go later in the week or perhaps beyond for anything more extensive. As Michigan is the home to a major chemical manufacturer (Dow), I believe this topic will be of great interest to our readers, and hope we can offer some unique insight.

Thank you,

Kevin Elliott

Reporter

Downtown Publications

248.792.6464 ext. 701

Ex. 6 Personal Privacy (PP) (cell)

--

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[OaklandConfidential.com](http://OaklandConfidential.com)  
248.792.6464

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 10/12/2018 12:48:30 AM  
**To:** Clementine Ford [south@harpers.org]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Fact-checking inquiry from Harper's Magazine

Good evening Clementine and sorry for the delayed response.

For attribution to U.S. EPA, please:

“EPA does not have a recent estimate to confirm that figure. However, according to our 2008 summary of termite structural damage that included review of published literature up until that time, your figure is accurate.

The Association of Structural Pest Control Regulatory Officials ([www.aspcro.org/](http://www.aspcro.org/)) may have more recent information to help you confirm the figure.”

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Oct 11, 2018, at 11:13 AM, Clementine Ford <[south@harpers.org](mailto:south@harpers.org)> wrote:

Hi Robert!

Just checking in to see how this is going. My meeting is soon, and I'd like to let him know if we think we'll have this confirmed/modified by the EPA by the end of the day. Let me know if you can.

Best,  
Clem

---

Clementine Ford  
Editorial Assistant  
Harper's Magazine  
666 Broadway, 11th Floor  
New York, NY 10012  
(212) 420-5742

On Tue, Oct 9, 2018 at 2:04 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Hullo Clem,

\$1.5 billion? Let me check.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Clementine Ford [mailto:south@harpers.org]  
**Sent:** Tuesday, October 09, 2018 2:02 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Subject:** Fact-checking inquiry from Harper's Magazine

Hi Robert,

Nice to speak to you again. I'm hoping to confirm that the minimum amount of US property damage caused by termites each year is 1,500,000,000. Does that number sound right to the EPA? If not, what is the correct number?

<https://www.epa.gov/safepestcontrol/termites-how-identify-and-control-them>

Here is a link from the EPA on termite damage, but it doesn't specify how many billions. Let me know --by Thursday morning if you can-- if my figure of 1,500,000,000 dollars is correct, or if there is a different one. Thanks so much, Robert!

Best,

Clem

---

Clementine Ford  
Editorial Assistant  
Harper's Magazine  
666 Broadway, 11th Floor  
New York, NY 10012  
(212) 420-5742

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 10/11/2018 4:31:38 PM  
**To:** DiChristopher, Thomas (NBCUniversal) [Thomas.DiChristopher@NBCUNI.COM]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: CNBC inquiry: phrasing on E15 "ban"

Good afternoon Thomas,

On background – i.e. for attribution to U.S. EPA, please:

“E15 can be sold in RFG areas without any constraints covering about 30% of all gasoline. The RVP standard is the same no matter if gasoline has renewable fuel blended into it or not.

For the rest of gasoline, conventional gasoline, E15 can be sold during the summer months only if it meets the RVP standard without the 1-psi waiver that applies to E10. In other words, E15 is more difficult to sell than E10 in this scenario. This requires a different petroleum blendstock for E15 than for E10, making it more difficult for the market to accommodate.”

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** DiChristopher, Thomas (NBCUniversal) [mailto:Thomas.DiChristopher@NBCUNI.COM]  
**Sent:** Wednesday, October 10, 2018 10:39 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** CNBC inquiry: phrasing on E15 "ban"

Robert, here's the issue that our source raised with our reporting and much of the reporting on the E15 topic.

The media has used the word "ban" to characterize the summertime restrictions on sales of E15, but the Clean Air Act does not actually explicitly ban the sale of E15 during summer months, according to the refining expert. Thus, it is inaccurate to use the word "ban."

Instead, it would be more accurate to say the Clean Air Act and associated regulations place restrictions or special conditions on the sale of E15 during the summer months. Retailers throughout most of the country have chosen not to sell E15 during those months due to those restrictions and special conditions, which could cause confusion among consumers at the gas pump.

The example our source gave is that the retailers would have to change stickers on fuel pumps to label E15 as "flex fuel" – if I understand him correctly.

Thanks so much for your help on this.

Best,

Tom DiChristopher  
CNBC Digital  
[thomas.dichristopher@nbcuni.com](mailto:thomas.dichristopher@nbcuni.com)  
o: 201-735-3147  
m: Ex. 6 Personal Privacy (PP)

Message

---

**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 10/11/2018 1:45:30 PM  
**To:** Ewing Tom [Ex. 6 Personal Privacy (PP)]  
**Subject:** Re: question - VGP 3

Tom--

Note that the date for your second question is December 18<sup>th</sup>, not the 31<sup>st</sup>.

On background:

EPA stands ready to assist those applying for VGP and encourages owners/operators of eligible vessels currently without permit coverage to seek it prior to December 18, 2018.

--Tricia

---

**From:** Ewing Tom [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Thursday, October 11, 2018 9:00 AM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** Re: question - VGP 3

Tricia - thank you. Any insights as to why the new permit is not ready? Also, if an operator does not have a permit now can a person realistically apply for and receive a new permit between now and December 31?

Thanks!

Tom Ewing

"reply" or

Ex. 6 Personal Privacy (PP) voice/text

---

**From:** "Lynn, Tricia" <lynn.tricia@epa.gov>  
**To:** Ewing Tom [Ex. 6 Personal Privacy (PP)]  
**Sent:** Thursday, October 11, 2018 8:51 AM  
**Subject:** RE: question - VGP 3

Tom—

For attribution to "an EPA spokesperson:"

EPA's 2013 Vessel General Permit (VGP) will not be reissued prior to its December 18, 2018 expiration date, but will be administratively continued and remain in effect until a new permit is issued. Owners/operators of vessels operating under the administratively continued permit are expected to comply with the terms and conditions of that permit. Because coverage under the VGP cannot be obtained after the permit's expiration date, EPA strongly encourages owners/operators of eligible vessels currently without permit coverage to seek it prior to December 18, 2018. EPA stands ready to assist those applying for VGP and will continue its work on reissuing the permit, with a targeted



timeframe of permit proposal in Spring 2019. For information about how to apply for a VGP and eligibility requirements, visit <https://www.epa.gov/npdes/vessels-vgp>.

On background:

EPA issued the Vessel General Permit (VGP) in December 2013, and it expires in December 2018. The VGP provides National Pollutant Discharge Elimination (NPDES) permit coverage for incidental discharges into waters of the United States from commercial vessels greater than 79 feet in length and for ballast water from commercial vessels of all sizes. EPA estimates that approximately 61,000 domestically flagged commercial vessels and approximately 8,000 foreign flagged vessels require VGP permit coverage for such incidental discharges.

Best.

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

---

**From:** Ewing Tom [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]  
**Sent:** Wednesday, September 19, 2018 9:51 AM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** question - VGP 3

Ms. Lynn - good morning. What is the current status with EPA's development and release of a revised Vessel General Permit (VGP)? I think a draft VGP 3 was going to be released in the spring/summer. Did that happen or is VGP 3 still under review by the Agency?

Thanks!

Tom Ewing  
"reply" or

[Ex. 6 Personal Privacy \(PP\)](#) voice/text

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 10/11/2018 1:40:08 PM  
**To:** Skye McEowen [Ex. 6 Personal Privacy (PP)]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: [ENERGY STAR] Re: Interview Request - This Old House Magazine, Home Solutions  
**Attachments:** response to This Old House McEowen with tips to keep warm and save money 10-10-18.docx

Good morning Skye

Please see our response, attached and on background – i.e. for attribution to U.S. EPA, please.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
[Ex. 6 Personal Privacy (PP)] (M)

**From:** Skye McEowen [mailto:[Ex. 6 Personal Privacy (PP)]]  
**Sent:** Tuesday, October 09, 2018 2:16 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: [ENERGY STAR] Re: Interview Request - This Old House Magazine, Home Solutions

That sounds great, thank you.

Best,

Skye

On Tue, Oct 9, 2018 at 2:08 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Skye. The more time, the better. We'll try for tomorrow.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
[Ex. 6 Personal Privacy (PP)] (M)

**From:** Skye McEowen [mailto:Ex. 6 Personal Privacy (PP)]

**Sent:** Tuesday, October 09, 2018 2:07 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: [ENERGY STAR] Re: Interview Request - This Old House Magazine, Home Solutions

Hi Robert,

I did get your voicemail. I apologize for not being able to get back to you. I can wait until a Wednesday to submit these. The story isn't published until January, but these are needed in advance for fact-checking, etc.

I can also shoot for Thursday if that's easier.

Best,

Skye

On Tue, Oct 9, 2018 at 1:38 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Skye,

I don't know if you got my voicemail on Friday. Is today your hard deadline? If not, how far can you push it back? When are you planning to publish your story? Thanks in advance.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Skye McEowen [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]

**Sent:** Friday, October 05, 2018 9:43 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: [ENERGY STAR] Re: Interview Request - This Old House Magazine, Home Solutions

Good morning,

Yes, I am available to speak today at any time before 2 p.m. EST.

Best,

Skye

On Fri, Oct 5, 2018 at 9:23 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Karen,

Enesta will be back on Tuesday, as her out-of-office indicates. Would you and/or Skye have time to talk later today, if only for info on the scope of your inquiry?

My contact info follows.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Schneider, Karen

**Sent:** Friday, October 05, 2018 9:19 AM

**To:** Press <Press@epa.gov>

**Cc:** Ex. 6 Personal Privacy (PP); Sylvan, Stephan <Sylvan.Stephan@epa.gov>; Montoro, Marta <Montoro.Marta@epa.gov>; Durrett, Denise <Durrett.Denise@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>

**Subject:** FW: [ENERGY STAR] Re: Interview Request - This Old House Magazine, Home Solutions

Press Office –

I'm sending this request to you since Enesta Jones is out of the office. – thanks -Karen Schneider

---

**Skye McEowen**

Oct 4, 4:27 PM EDT

Hello,

I have tried reaching out to Enesta with the EPA, and she is on leave until October 9. Is there anyone else I would be able to get in contact with regarding my story for This Old House?

Thank you,

Skye

---

**Karen Schneider (ENERGY STAR)**

Oct 2, 7:55 AM EDT

Skye –

I'm forwarding your request to Enesta Jones ([jones.enesta@ape.gov](mailto:jones.enesta@ape.gov)), our Press contact. I'm sure you'll hear back from her soon.

Enesta – Here's Skye's info: Skye McEowen [Ex. 6 Personal Privacy \(PP\)](#)

thank you – Karen Schneider

**Skye McEowen**

Oct 1, 1:59 PM EDT

Good afternoon,

My name is Skye McEowen. I'm working on an energy-saver piece for the Home Solutions section of This Old House Magazine's January/February issue.

I'm looking for less-expected tips (different from covering spaces under doors, insulating, etc.) for people to stay warm and save energy in their homes this winter. I have a few ideas compiled already, such as getting an energy-saving outlet that has a timer to turn off electronics. I was hoping to speak with someone from Energy Star to get a second opinion and any other tips I may be missing.

Feel free to email me back or give me a call at (740) 417-6675 if there is a time that someone may be available to talk over the phone. I will be aiming to get a draft turned in by next Tuesday.

Best,

Skye McEowen

You are an agent. Add a comment by replying to this email or [view ticket in Zendesk Support](#).

**Ticket #** 31386  
**Status** Open  
**Requester** Skye McEowen  
**CCs** Denise Durrett, Marta Montoro, Jones Enesta, Ann Bailey  
**Group** Support  
**Assignee** Karen Schneider  
**Priority** -  
**Type** Ticket  
**Channel** By Mail

This email is a service from ENERGY STAR. Delivered by [Zendesk](#)

Message

---

**From:** Lydia Mulvany (BLOOMBERG/ NEWSROOM:) [lmulvany2@bloomberg.net]  
**Sent:** 8/17/2018 9:35:09 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Dicamba lawsuit comments - Bloomberg

Thank you!

---

Sent from Bloomberg Professional for iPhone

----- Original Message -----

From: Robert Daguillard <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
To: LYDIA MULVANY  
CC: [Press@epa.gov](mailto:Press@epa.gov)  
At: 17-Aug-2018 16:27:11

Lydia, for attribution to “an EPA Spokesperson,” please:

EPA does not comment on pending litigation.

Our goal is to make a decision in time for growers to make informed seed purchase decisions for the next planting season.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)



---

**From:** Lydia Mulvany (BLOOMBERG/ NEWSROOM:) [mailto:lmulvany2@bloomberg.net]  
**Sent:** Thursday, August 16, 2018 7:03 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Dicamba lawsuit comments - Bloomberg

Hello,

Anything you can send tomorrow would be great. Thanks!

---

Sent from Bloomberg Professional for iPhone

----- Original Message -----

From: Robert Daguillard <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
To: LYDIA MULVANY  
At: 16-Aug-2018 17:52:29

Hullo Lydia,

I highly doubt we can get back to you this evening. Do you have any wiggle room?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Lydia Mulvany (BLOOMBERG/ NEWSROOM:)  
[mailto:lmulvany2@bloomberg.net]  
**Sent:** Thursday, August 16, 2018 5:47 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Cc:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Dicamba lawsuit comments - Bloomberg

Hello,

I'm writing an article about dicamba which may go out overnight. There is mention of a lawsuit against the EPA for granting dicamba's registration. Please let me know if you have any comments on the following, and even if you can get back to me tomorrow morning, we will be able to update the story:

---Some organizations are suing EPA for granting dicamba's registration. It looks like oral arguments are scheduled for Aug. 29 in Seattle (National Family Farm Coalition v. EPA, 9th Cir., No. 17-70196, 6/20/18.) It sounds like, among the complaints, that they're saying the EPA's label for dicamba was too complicated for farmers to follow, and that it violates Endangered Species Act.

---Do you have comment about whether or not EPA intends to renew dicamba's registration?

Thank you

---

Lydia Mulvany  
Bloomberg News  
office: +1 312 443 5972  
cell: Ex. 6 Personal Privacy (PP)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/17/2018 9:26:55 PM  
**To:** Lydia Mulvany [lmulvany2@bloomberg.net]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Dicamba lawsuit comments - Bloomberg

Lydia, for attribution to "an EPA Spokesperson," please:

EPA does not comment on pending litigation.

Our goal is to make a decision in time for growers to make informed seed purchase decisions for the next planting season.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Lydia Mulvany (BLOOMBERG/ NEWSROOM:) [mailto:lmulvany2@bloomberg.net]  
**Sent:** Thursday, August 16, 2018 7:03 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Dicamba lawsuit comments - Bloomberg

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Anything you can send tomorrow would be great. Thanks!

---

Sent from Bloomberg Professional for iPhone

----- Original Message -----

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At: 16-Aug-2018 17:52:29

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Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Lydia Mulvany (BLOOMBERG/ NEWSROOM:) [<mailto:lmulvany2@bloomberg.net>]

**Sent:** Thursday, August 16, 2018 5:47 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Cc:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Dicamba lawsuit comments - Bloomberg

Hello,

I'm writing an article about dicamba which may go out overnight. There is mention of a lawsuit against the EPA for granting dicamba's registration. Please let me know if you have any comments on the following, and even if you can get back to me tomorrow morning, we will be able to update the story:

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---Do you have comment about whether or not EPA intends to renew dicamba's registration?

Thank you

---

Lydia Mulvany  
Bloomberg News  
office: +1 312 443 5972  
cell: Ex. 6 Personal Privacy (PP)

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/17/2018 9:25:14 PM  
**To:** emest@questex.com  
**CC:** Press [Press@epa.gov]  
**Subject:** Elliott: Your Questions for US EPA

For attribution to “an EPA spokesperson,” please:

**1. What are the dangers of improperly disposing of TV-related waste to the environment, and what are the legal ramifications?**

Electronics are complex devices, which are made of a wide variety of material components. These components can include lead, nickel, cadmium and mercury, and could pose risks to human health and the environment if mismanaged at their end-of-life.

Electronics also are made of valuable materials such as precious metals, copper, glass and engineered plastics. Recycling recovers valuable materials for future use while reducing greenhouse gas emissions and pollution, conserving energy and promoting source reduction by extracting fewer raw materials from the earth.

While there are no Federal requirements to recycle e-waste in the United States, EPA encourages the reuse and recycling of used electronics. Furthermore, 25 states and the District of Columbia have instituted mandatory electronics collection and recycling programs and 18 states ban certain electronics from landfills. Visit this section of our page for more information and links to other sources: <https://www.epa.gov/smm-electronics/regulations-initiatives-and-research-electronics-stewardship#02>.

The Resource Conservation and Recovery Act (RCRA) is the federal statute that applies to waste, both hazardous and nonhazardous. Certain e-waste may be regulated as hazardous waste, which means its management and disposal is more stringently regulated. Under RCRA, the generator of the waste is responsible for determining whether their waste is hazardous. More information concerning hazardous waste identification and management is available online at <https://www.epa.gov/hw/criteria-definition-solid-waste-and-solid-and-hazardous-waste-exclusions> and at <https://www.epa.gov/hwgenerators>.

For example, older TVs and computer monitors used cathode ray tubes (CRT), which are generally hazardous waste due to the levels of lead in the glass. EPA encourages the recycling of CRTs and has a specific exclusion for recycling CRTs. Read more about the federal RCRA requirements for managing CRTs here: <https://www.epa.gov/hw/cathode-ray-tubes-crts-0> and here: <https://www.epa.gov/hw/frequent-questions-about-regulation-used-cathode-ray-tubes-crts-and-crt-glass>.

In addition to federal requirements, it is important to also contact your state, local, and/or tribal government and check specific [state regulations](#).

**2. How are hotels recommended to dispose of electronic waste?**

EPA encourages the reuse, donation, and/or recycling of used electronics such as TVs, computers, printers, copiers and mobile phones. If recycling, EPA encourages all electronics to be recycled by a certified electronics recycler through the available electronics recycler certification programs: <https://www.epa.gov/smm-electronics/certified-electronics-recyclers>.

Certified electronics recyclers have demonstrated through audits and other means that they continually meet specific high environmental standards, safely manage and remove personal data from the used electronic equipment. Once certified, continual oversight by the independent accredited certification body holds the recycler to the particular standard. To find certified recyclers in your area go to: <https://sustainableelectronics.org/recyclers> or <http://e->

[stewards.org/find-a-recycler/](https://stewards.org/find-a-recycler/). Both programs provide zip code locaters to find recyclers convenient to you. Disclaimer: This is for informational purposes only. EPA does not endorse these entities nor their services.

This EPA page goes into detail on Electronics Stewardship, and has helpful information on reuse and donation: <https://www.epa.gov/smm-electronics/basic-information-about-electronics-stewardship>. It explains how to make eco-friendly choices on electronics at each life cycle stage, about proper disposal and recommended purchasing, and about the benefits of electronics stewardship.

Because some states have instituted bans on the disposal of e-waste, we recommend you check with your state agency for information about state requirements.

### **3. What should hotel operators know about the process before they begin?**

Hotel operators should check with their state and/or local environmental agency to determine if there are specific requirements that would apply to them (e.g., ban on sending to landfills) or if there are collection or other events in their area (e.g. donations) that they could participate in.

Individual operators may check with their corporate office to see if there are any “sustainability” goals or policies that govern their operations.

Hotels operators can make sure that the electronics recycler they choose is certified to one of the available electronics recycling standards, the Responsible Recycling (R2) or the e-Stewards programs.

Recyclers in the United States have different specialties, so hotel operators should find a recycler that is able to provide the specific services that the hotel deems necessary (e.g., packing, transportation, reuse, data sanitization, etc) to ensure the safe and proper management of those devices.

### **4. What are some common mistakes that hotel operators make during the disposal process?**

This is not an area that EPA collects information on.

### **5. How can hotels go above and beyond during this process?**

When purchasing new electronics, consider products that are registered to the Electronic Product Environmental Assessment Tool (EPEAT) or have been certified to the ENERGY STAR standard.

- EPEAT is an easy-to-use resource to find electronic products with positive environmental attributes (e.g., manufactured with less toxic materials and more recycled materials, use less energy). EPEAT is an international standard for green electronics that, as of 2015, was available in 43 countries with over 124 million registered products. Read more about EPEAT here: <https://www.epa.gov/greenerproducts/electronic-product-environmental-assessment-tool-epeat> and see more about buying greener products here: <https://www.epa.gov/greenerproducts>
- ENERGY STAR is an EPA voluntary program that helps businesses and individuals save money and protect our climate through superior energy efficiency. [Learn more about ENERGY STAR.](#)

Hotels could consider calculating their environmental benefits using the Electronics Environmental Benefits Calculator (EEBC), which can be found at: <https://www.epa.gov/fec/using-electronics-environmental-benefits-calculator-eebc-7252012>

In addition to these tips about managing electronics, hotel operators can examine the hotel’s operations (dining, meetings, laundry, etc.) to make them more sustainable.

Cheers, R.

Robert Daguiillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)



Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/17/2018 9:18:38 PM  
**To:** Brianna Jackson [bjackson125@bloomberg.net]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Reaching out...

Hey Brianna,

On background, please:

**Response:** The remaining 49 percent includes primarily pre- MY 2007 diesel trucks. A much smaller amount of alternative fuel trucks would be included as well but we can't easily get the exact percentage.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
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Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Brianna Jackson (BLOOMBERG/ NEWSROOM:) [mailto:bjackson125@bloomberg.net]  
**Sent:** Friday, August 10, 2018 4:38 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Reaching out...

Hi Robert,  
Yes. Just trying to see what other fuel makes up the other 49 percent of the heavy-duty fleet industry.  
Thanks so much. I look forward to speaking with you next week.

Happy Friday and enjoy your weekend,  
Brianna

**From:** Daguillard.Robert@epa.gov **At:** 08/10/18 16:27:37  
**To:** Brianna Jackson (BLOOMBERG/ NEWSROOM: )  
**Subject:** RE: Reaching out...

Thanks, Brianna. To clarify: You mean, what categories of trucks, other than clean-diesels make up the current heavy-duty fleet, correct?

Sorry for the delay. I checked with the program folks, and they're pretty confident we can get you something Monday or Tuesday.

Thanks for your patience.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

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**From:** Brianna Jackson (BLOOMBERG/ NEWSROOM:)  
[mailto:[bjackson125@bloomberg.net](mailto:bjackson125@bloomberg.net)]  
**Sent:** Thursday, August 09, 2018 11:26 AM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** RE: Reaching out...

Hi Robert,

Thanks for getting back to me on those numbers. I guess my only follow-up question would be what makes up the other 49 percent of truck penetration in the U.S.?

Many thanks,

Bri

From: [Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov) At: 08/09/18 09:19:49

To: [Brianna Jackson \(BLOOMBERG/ NEWSROOM: \)](mailto:Brianna Jackson (BLOOMBERG/ NEWSROOM: ))  
Cc: [Press@epa.gov](mailto:Press@epa.gov)  
Subject: RE: Reaching out...

Hullo Brianna,

For attribution to “an EPA Spokesperson,” please. Let us know if you have any follow-up questions.

- **About 40 percent of transit buses in the U.S. run on CNG?**

A: Unfortunately, we do not have the latest data to answer this question. The Energy Information Administration’s Annual Energy Outlook is a good source for recent and projected estimates on the penetration of various fuel types and consumption in transit buses and other heavy duty vehicles.

- **About 60 percent of trash trucks in the U.S. run on CNG?**

A: We are not aware of any official data that can confirm this estimate.

- **Natural gas is 90 percent cleaner than the EPA's current NOx standard?**

A: Correct, for example, the Cummins Westport ISL G engine is EPA and CARB certified to 0.02 grams per brake horsepower hour (g/bhp-hr) NOx

- **The EPA's current NOx standard is 0.2 grams per brake horsepower per hour?**

A: Correct

- **Also, could you give me some numbers on how much penetration clean diesel has right now and how clean it is?**

A: It is estimated that the clean diesel (MY2007 and later) trucks represent about 51% of the heavy-duty fleet in CY2016. For comparing the pre- and post-2007 standards, it's not so easy for NOx, as prior to 2007, it was an “NMHC + NOx” standard (2.4 g/bhp-hr), whereas 2007-and-newer engines have separate HC (0.14 g/bhp-hr) and NOx (0.2 g/bhp-hr) standards. You could say that “NMHC + NOx” for 2007-and-newer engines is 0.34 g/bhp-hr (0.14 + 0.2), which is a 85% reduction from pre-2007 levels.

Cheers, R.

Robert Daguiard

Office of Media Relations

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Ex. 6 Personal Privacy (PP) (M)

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**From:** Brianna Jackson (BLOOMBERG/ NEWSROOM:) [\[mailto:bjackson125@bloomberg.net\]](mailto:bjackson125@bloomberg.net)

**Sent:** Wednesday, August 01, 2018 10:18 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** RE: Reaching out...

Hi Robert,

That would be great. Is there a time that works best for you?

Best,

Brianna

From: [Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov) At: 08/01/18 10:13:45

To: [Brianna Jackson \(BLOOMBERG/ NEWSROOM: \) , Jones.Enesta@epa.gov](mailto:Brianna Jackson (BLOOMBERG/ NEWSROOM: ) , Jones.Enesta@epa.gov)

Cc: [Press@epa.gov](mailto:Press@epa.gov)

Subject: RE: Reaching out...

Brianna, as per our phone conversation yesterday, feel free to check with me on the status of this inquiry. We can connect later today, if you like.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Jones, Enesta  
**Sent:** Wednesday, August 01, 2018 10:11 AM  
**To:** Brianna Jackson <[bjackson125@bloomberg.net](mailto:bjackson125@bloomberg.net)>  
**Cc:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Reaching out...

Hi Brianna, Robert Daguiard is your contact. He should be in contact ASAP with a status update.

On Aug 1, 2018, at 10:10 AM, Brianna Jackson (BLOOMBERG/ NEWSROOM:) <[bjackson125@bloomberg.net](mailto:bjackson125@bloomberg.net)> wrote:

Good morning Enesta,

Thank you again for the update on those numbers I wanted to check. Just wanted to send you a note to keep me updated on if anyone responds to you today. If I could get it by the end of the day Friday that would be perfect.

Cheers,

Brianna

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/17/2018 9:11:03 PM  
**To:** Mihir Zaveri [mihir.zaveri@nytimes.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Glyphosate and cereals, oats

Mihir, with apologies for the late response:

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed. - **EPA Spokesperson.**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Mihir Zaveri [mailto:mihir.zaveri@nytimes.com]  
**Sent:** Wednesday, August 15, 2018 3:09 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Glyphosate and cereals, oats

Hello -- I'd like to add one more question, so both questions together:

-- Would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?  
-- What do you think about the Environmental Working Group in general? Do they present fair arguments or counterpoints?

Mihir

On Wed, Aug 15, 2018 at 2:39 PM Mihir Zaveri <mihir.zaveri@nytimes.com> wrote:

Hi, would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?

On Wed, Aug 15, 2018 at 1:22 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Mihir,

For attribution to "an EPA Spokesperson," please:

As stated in our December 2017 announcement, EPA's draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency's scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide

and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA's human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our [Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential](#).

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Aug 15, 2018, at 11:35 AM, Mihir Zaveri <[mihir.zaveri@nytimes.com](mailto:mihir.zaveri@nytimes.com)> wrote:

Thank you -- appreciate your acknowledgement!

Mihir

On Wed, Aug 15, 2018 at 11:34 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Mihir,

A quick work to acknowledge receipt. We'll be in touch soon.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Mihir Zaveri [mailto:mihir.zaveri@nytimes.com]  
**Sent:** Wednesday, August 15, 2018 11:26 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Glyphosate and cereals, oats

Hello, this is Mihir Zaveri, I'm a reporter with The New York Times. I'm working on a story today about this [new report](#) from the Environmental Working Group that shows certain levels of the chemical "glyphosate" in cereal, granola, and other food products.

I'm sure you have been over these points before, but the report suggests that glyphosate is linked to cancer, and supports that notion with a WHO agency designation and California state designation as well as the recent settlement in California earlier this month. The report further suggests that the levels of glyphosate that they found could particularly put children at risk.

Hoping to get an answer to some questions:

- It's my understanding that the federal government does not consider glyphosate to be linked to cancer, is this true?
- Are there any risks associated with glyphosate for parents, or general population, to be concerned about?
- Why is there this dissonance between what federal regulators say and what, for example, the state of California says regarding Glyphosate?
- How would EPA respond to the public who might read this EWG report and be scared that their children might not be safe if they eat these foods? Or others?
- The EWG scientists assert that glyphosate applied later in a crop cycle reflects an increased risk compared to that applied earlier in the cycle. Is there any reason to challenge this notion?
- When do the draft risk assessments published in December become final and what more is there to do in that process?

Thank you, I am writing this story today and it will go online later this afternoon.

Thank you,  
Mihir



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.....

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Message

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**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 8/17/2018 9:07:45 PM  
**To:** Konkus, John [konkus.john@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Open Inquiries' End-of the-Day (EOD) Edition, 8/17/18

Tnx John. You too!

On Aug 17, 2018, at 5:07 PM, Konkus, John <konkus.john@epa.gov> wrote:

Enesta: Per our phone call to review and talk through these, we're good to go.

Thanks and have a great weekend everyone.

John

---

**From:** Jones, Enesta  
**Sent:** Friday, August 17, 2018 4:46 PM  
**To:** Konkus, John <konkus.john@epa.gov>  
**Subject:** Fwd: Open Inquiries' End-of the-Day (EOD) Edition, 8/17/18

Tnx!

Begin forwarded message:

**From:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Date:** August 17, 2018 at 4:01:33 PM EDT  
**To:** "Konkus, John" <konkus.john@epa.gov>, "Block, Molly" <block.molly@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>  
**Cc:** "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Jones, Enesta" <Jones.Enesta@epa.gov>, "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Subject:** Open Inquiries' End-of the-Day (EOD) Edition, 8/17/18

17 Awaiting Third-Floor Approval; 8 No Acknowledgement/Response.

**From:** Jones, Enesta  
**Sent:** Friday, August 17, 2018 3:53 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Oklahoman (Jack Money) re Anchor Glass settlement (DDL: 8/17)

This reporter is asking for the consent decree for Anchor Glass.

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

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The Oklahoman (Jack Money) [Received 8/7] – OPEN – When will Anchor Glass settlement be signed? DDL: Flexible.

+++

**From:** Jones, Enesta  
**Sent:** Friday, August 17, 2018 2:52 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** For Review: Bloomberg Environment (Sylvia Carignan) re OSRE pilot program (Deadline: 8/17)

**Susan Bodine-approved response:**

## Ex. 5 Deliberative Process (DP)

**From:** [scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com) [<mailto:scarignan@bloombergenvironment.com>]  
**Sent:** Monday, August 13, 2018 11:14 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** OSRE pilot program

Hi all,

Hope you had a good weekend. I'd like to know more about OSRE's pilot program mentioned in the Superfund task force's 2018 update. On pg. 36, the report says the office will pilot an approach where any existing company spins off a new corporate entity that would conduct cleanup.

I'd like to know what EPA's role would be in creating spinoffs, and I'd like to talk to Cyndy Mackey about this. Let me know when she's available this week for a phone call.

Best,  
Sylvia

.....

**Sylvia Carignan**  
Reporter, Superfund and Waste

**Bloomberg BNA**

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**From:** Daguillard, Robert  
**Sent:** Friday, August 17, 2018 2:24 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** FW: media query on federal facility recommendations in Superfund task force report

Third Floor, do you want to handle, as this concerns the task force? Or should I send to the program?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

-----Original Message-----

From: Suzanne Yohannan [mailto:suzanne.yohannan@iwpnews.com]

Sent: Friday, August 17, 2018 2:18 PM

To: Press <Press@epa.gov>

Subject: media query on federal facility recommendations in Superfund task force report

Dear Press officer,

I'm a reporter for Inside EPA. I have a few questions that relate to the Superfund task force recommendations specific to federal facilities.

1. I understand that EPA enforcement staff or officials were supposed to meet with military service officials this month on the Superfund reforms. Could you tell me what was/is on the agenda for these discussions? Were there any disagreements? What did they agree to?

The 2018 update of the Superfund reform recommendations says that the recommendations that pertain to federal facility sites/agencies (recommendations #15, 18, 19, 30) are either partially or almost complete. I have a few questions related to these:

2. For recommendation #15 - Speed settlement process where there are federal PRPs at a site, EPA in the 2018 update report says this has been partially completed. The update says EPA developed model federal agency language to address common settlement delays. Is EPA releasing this model language? Were there any other policy changes made under this recommendation?

3. For recommendation #18, can you release the policy/tools EPA created to meet the recommendation to reinforce adherence to informal and formal dispute timelines in FFAs? What more needs to be done under this recommendation?

4. For recommendation #19, will there be any policy developed to address redelegating CERCLA authorities from one agency to another at mixed ownership mining sites?

5. For recommendation #30, EPA is revising a federal facility enforcement guidance aimed at increasing EPA's flexibility to offer comfort to transferees over concerns about cleanup liability. Could you tell me the status of this guidance? When do you expect it to be finalized? Could I obtain a copy once it is?

My deadline is Thursday (Aug. 23) at 9 a.m.

I can be reached at the email or number below.

Thanks very much.

Sincerely,  
Suzanne Yohannan

Inside EPA

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**From:** Jones, Enesta

**Sent:** Friday, August 17, 2018 12:28 PM

To: Press <Press@epa.gov>

Subject: For Review: E&E (Ariel Wittenberg) re 404c veto changes (DDL: noon, 8/17)

Dave Ross-approved response:

## Ex. 5 Deliberative Process (DP)

From: "awittenberg@eenews.net" <awittenberg@eenews.net>

Date: August 17, 2018 at 9:02:59 AM EDT

To: Press <Press@epa.gov>

Subject: 404c veto changesâ€”E&E News

Hi everyone,

We've been hearing from sources that EPA has started working to change regulations about when EPA will initiate the 404c veto process, along the lines of the memo former Admin. Pruitt signed back in June. We'll be publishing a story in Greenwire today and so I wanted to check if you have any comment?

My deadline is noon.

Thanks,

Ariel

Ariel Wittenberg  
Reporter, E&E News

+++

From: "Jones, Enesta" <Jones.Enesta@epa.gov>

Date: August 17, 2018 at 11:46:12 AM EDT

To: Press <Press@epa.gov>

Subject: For Review: E&E (Sean Reilly) re proposed amendments to clay ceramics NESHAP (DDL: noon, 8/17)

On background

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

From: Sean Reilly <sreilly@eenews.net>

Date: August 17, 2018 at 10:12:04 AM EDT

To: Press <Press@epa.gov>

Subject: Proposed amendments to clay ceramics NESHAP

Hi folks:

Quick question related to a story I'm doing this morning on this proposed rule (<https://s3.amazonaws.com/public-inspection.federalregister.gov/2018-17933.pdf>), given that the NESAHF regs in question also apply to brick manufacturers.

Is EPA planning a separate proposed rule to address other concerns raised by the brick industry and, if so, is there an approximate ETA for publication in the Federal Register?

My deadline is noon today.

Thanks,  
Sean

Sean Reilly

+++

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** August 17, 2018 at 11:23:20 AM EDT  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** FOR APPROVAL: Proposed response to ADAO re: Asbestos.

The Toxic Chemicals program is objecting to the part of a news release from the Asbestos Disease Awareness Organization (ADAO), [https://www.oaoa.com/news/business/article\\_2f1ac6d9-0444-5584-830f-7c7672e3a9d5.html?mode=jqm](https://www.oaoa.com/news/business/article_2f1ac6d9-0444-5584-830f-7c7672e3a9d5.html?mode=jqm), that says the Obama Administration was planning to ban asbestos. OK to send the proposed response?

**Statement from ADAO:** This problem formulation completes the single-minded effort of the 'Trump EPA' to narrow the asbestos risk evaluation to the point of ignoring nearly all the risks of asbestos in American workplaces, residences, schools and commercial buildings-- undoing the decision of the 'Obama EPA' to use the reformed Toxic Substances Control Act to finally impose a much-delayed ban on asbestos use in the U.S., which now is virtually unregulated.

EPA response: **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

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**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** August 17, 2018 at 10:47:36 AM EDT  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** For Review: BNV - Delay of neonic pesticide reviews

The program says: **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)** Good to send?

**Incoming:** I see that EPA has edited its webpage to delay the review of neonics to next year <https://www.epa.gov/pollinator-protection/schedule-review-neonicotinoid-pesticides> (see attachment). Why is a delay necessary? Have you announced this delay? Do you plan to make an announcement?

## Response

## Ex. 5 Deliberative Process (DP)

### Ex. 5 Deliberative Process (DP)

**From:** Stecker, Tiffany [<mailto:tstecker@bloombergenvironment.com>]

**Sent:** Friday, August 17, 2018 9:19 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Cc:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Delay of neonic pesticide reviews

Hello all,

I see that EPA has edited its webpage to delay the review of neonics to next year <https://www.epa.gov/pollinator-protection/schedule-review-neonicotinoid-pesticides> (see attachment). Why is a delay necessary? Have you announced this delay? Do you plan to make an announcement?

Deadline is as soon as possible.

Thanks!

Tiffany

[illegible]

## Tiffany Stecker

\*\*\*

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Date:** August 17, 2018 at 8:46:12 AM EDT

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject: For Review: Dicamba lawsuit comments - Bloomberg**

The reporter says she can still accept our response this AM. The program recommends the following. Please advise whether it's good to send:

### Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Cheers, R.

## Robert Daguillard

**Office of Media Relations**

**U.S. Environmental Protection Agency**

**Washington, DC**

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Ex. 6 Personal Privacy (PP) (M)

**From:** Lydia Mulvany (BLOOMBERG/ NEWSROOM:) [<mailto:lmulvany2@bloomberg.net>]

**Sent:** Thursday, August 16, 2018 5:47 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Cc:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Dicamba lawsuit comments - Bloomberg

Hello,

I'm writing an article about dicamba which may go out overnight. There is mention of a lawsuit against the EPA for granting dicamba's registration. Please let me know if you have any comments on the following, and even if you can get back to me tomorrow morning, we will be able to update the story:

---Some organizations are suing EPA for granting dicamba's registration. It looks like oral arguments are scheduled for Aug. 29 in Seattle (National Family Farm Coalition v. EPA, 9th Cir., No. 17-70196, 6/20/18.) It sounds like, among the complaints, that they're saying the EPA's label for dicamba was too complicated for farmers to follow, and that it violates Endangered Species Act.

---Do you have comment about whether or not EPA intends to renew dicamba's registration?

Thank you

---

Lydia Mulvany  
Bloomberg News

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+++

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>

**Date:** August 16, 2018 at 5:46:45 PM EDT

**To:** Press <Press@epa.gov>

**Subject:** For Review: Washington Post - Glyphosate inquiry

From the program. Good to send?

**Incoming:** looking for reference dose for glyphosate. Have seen everything from .1 mg/kg of bodyweight to 2mg/kg bw.

**Response:** Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

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**From:** Dewey, Caitlin [mailto:Caitlin.Dewey@washpost.com]

**Sent:** Thursday, August 16, 2018 4:51 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Glyphosate inquiry

Hey – again, looking for reference dose for glyphosate. Have seen everything from .1 mg/kg of bodyweight to 2mg/kg bw.

We want to be able to say what daily level of glyphosate consumption EPA considers safe – let me know if that's not the figure I should be using. Thanks!

Caitlin

--

Caitlin Dewey



The Washington Post  
@caitlindewey // 202-334-9325 (desk)

**Note:** If I'm not available to take your call, email is best.

+++

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** August 16, 2018 at 5:02:00 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Bloomberg News - Diesel Truck Follow-up - DDL ASAP

Response to a follow-up inquiry on diesel trucks from Bloomberg News. Good to send?

ORIGINAL RESPONSE: It is estimated that the clean diesel (MY2007 and later) trucks represent about 51% of the heavy-duty fleet in CY2016. For comparing the pre- and post-2007 standards, it's not so easy for NOx, as prior to 2007, it was an "NMHC + NOx" standard (2.4 g/bhp-hr), whereas 2007-and-newer engines have separate HC (0.14 g/bhp-hr) and NOx (0.2 g/bhp-hr) standards. You could say that "NMHC + NOx" for 2007-and-newer engines is 0.34 g/bhp-hr (0.14 + 0.2), which is a 85% reduction from pre-2007 levels.

Follow up: I guess my only follow-up question would be what makes up the other 49 percent of truck penetration in the U.S.?

**Response:** Ex. 5 Deliberative Process (DP)  
Ex. 5 Deliberative Process (DP)

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**From:** Brianna Jackson (BLOOMBERG/ NEWSROOM:) [mailto:bjackson125@bloomberg.net]  
**Sent:** Thursday, August 09, 2018 11:26 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Reaching out...

Hi Robert,  
Thanks for getting back to me on those numbers. I guess my only follow-up question would be what makes up the other 49 percent of truck penetration in the U.S.?

+++

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** August 16, 2018 at 4:34:31 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** For Review:: Reuters News inquiry - dicamba

From the program. OK to send for attribution?

**Incoming #1:** Can you please confirm that EPA plans to announce this month its decision on whether to extend the registration for dicamba? That is what Mike Goodis said in this DTN article:  
<https://www.dtnpf.com/agriculture/web/ag/news/crops/article/2018/08/09/epa-listens-dicamba-discussion>

**Response #1:** Ex. 5 Deliberative Process (DP)  
Ex. 5 Deliberative Process (DP)

**Incoming #2:** I am planning to report that EPA officials including Reuben Baris visited farms in Tennessee, Missouri and Arkansas in July for a first-hand look at damage from dicamba moving off target. Can you please tell me why EPA wanted to take that tour?

Response #2: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**Incoming #3:** Can you please explain how EPA will make its decision about whether to extend the registration for dicamba?

Response #3: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**Incoming #4:** Does the agency have any comment on states such as Illinois, Indiana and North Dakota receiving more complaints this year than last year on dicamba damage?

Response #4: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Polansek, Tom (Reuters) [mailto:Thomas.Polansek@thomsonreuters.com]

**Sent:** Friday, August 10, 2018 5:51 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Reuters News inquiry - dicamba

Hi Robert, This is Tom Polansek from Reuters News in Chicago. Hope you are doing well!

I would like to ask for a comment for an article that I am writing about the herbicide called dicamba.

Can you please confirm that EPA plans to announce this month its decision on whether to extend the registration for dicamba? That is what Mike Goodis said in this DTN

article:<https://www.dtnpf.com/agriculture/web/ag/news/crops/article/2018/08/09/epa-listens-dicamba-discussion>

I am planning to report that EPA officials including Reuben Baris visited farms in Tennessee, Missouri and Arkansas in July for a first-hand look at damage from dicamba moving off target. Can you please tell me why EPA wanted to take that tour?

Can you please explain how EPA will make its decision about whether to extend the registration for dicamba?

Does the agency have any comment on states such as Illinois, Indiana and North Dakota receiving more complaints this year than last year on dicamba damage?

Please get back to me by the end of the day on Tuesday, Aug. 14. Thank you!

Tom

**Tom Polansek**

Reporter

**Thomson Reuters**

+++

I'd direct her to **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

**Ex. 6 Personal Privacy (PP)** (M)

From: Mihir Zaveri [mailto:mihir.zaveri@nytimes.com]

Sent: Wednesday, August 15, 2018 3:09 PM

To: Daguiard, Robert <Daguiard.Robert@epa.gov<mailto:Daguiard.Robert@epa.gov>>

Cc: Press <Press@epa.gov<mailto:Press@epa.gov>>

Subject: Re: Glyphosate and cereals, oats

Hello -- I'd like to add one more question, so both questions together:

-- Would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?

-- What do you think about the Environmental Working Group in general? Do they present fair arguments or counterpoints?

Mihir

+++

Now with Rich Yamada's edits. Please advise if this is OK to send.

## **Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

From: Konkus, John  
Sent: Tuesday, August 14, 2018 3:55 PM  
To: Jones, Enesta <Jones.Enesta@epa.gov<mailto:Jones.Enesta@epa.gov>>; Block, Molly <block.molly@epa.gov<mailto:block.molly@epa.gov>>; Hewitt, James <hewitt.james@epa.gov<mailto:hewitt.james@epa.gov>>; Abboud, Michael <abboud.michael@epa.gov<mailto:abboud.michael@epa.gov>>  
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov<mailto:Grantham.Nancy@epa.gov>>; Daguiard, Robert <Daguiard.Robert@epa.gov<mailto:Daguiard.Robert@epa.gov>>; Lynn, Tricia <lynn.tricia@epa.gov<mailto:lynn.tricia@epa.gov>>  
Subject: RE: Open Inquiries, 8/14/18

Who in ORD approved this response: Response: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

You can say: Ex. 5 Deliberative Process (DP)

Everything else is good to go.

Thank you Enesta!

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The program is recommending: Ex. 5 Deliberative Process (DP). The reporter said she'd accept general information along those lines, as she's on a tight deadline and plans to file her story by the end of the day. OK to send?

## Ex. 5 Deliberative Process (DP)

From: Vyas, Aditi X. -ND [mailto:Aditi.X.Vyas.-ND@abc.com]  
Sent: Thursday, August 16, 2018 9:20 AM  
To: Mears, Mary <Mears.Mary@epa.gov<mailto:Mears.Mary@epa.gov>>  
Subject: Requesting an interview an expert

Hi Mary,

Hope this email finds you well. My name is Aditi Vyas and I'm a physician on the medical unit for ABC News. We are doing a digital story on a recent study that came out saying DDE (insecticide) is related to autism. (I've attached the study to this email).

I was wondering if you could put me in touch with an expert who might be able to give me some comments regarding pesticides in general?

Thank you so much and I look forward to hearing from you,

Aditi

[ABCLOGO2]

Aditi Vyas MD, MHA | Resident Physician, Resident ABC NEWS Medical Unit | [47 West](#)

+++

**From:** "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Date:** August 16, 2018 at 11:02:56 AM EDT

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** FOR REVIEW: Waterways Journal (Jim Meyers) RE: "How's My Waterway" app. (8/16)

Reporter is asking about the "How's My Waterway" web app. Jim Meyers, Waterways DC.

**Suggested Response:**

On background:

## Ex. 5 Deliberative Process (DP)

**From:** Jim Myers [[mailto:](#) **Ex. 6 Personal Privacy (PP)**]

**Sent:** Wednesday, August 15, 2018 12:27 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Media inquiry on EPA link

Hello,

I received the link below as part of one of my news alerts. Not sure what to make of it? Is it a new link now open to the public? Any other information?

Thanks,

Jim Myers  
The Waterways Journal

+++

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**From:** Lynn, Tricia  
**Sent:** Wednesday, August 15, 2018 3:30 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Hotel Management Magazine (Elliott Mest) RE: TV Recycling (8/16)

Reporter is asking about TV recycling. Elliott Mest, Hotel Management Magazine.

**Suggested Response:**

For attribution to “an EPA spokesperson,”

**1. What are the dangers of improperly disposing of TV-related waste to the environment, and what are the legal ramifications?**

## **Ex. 5 Deliberative Process (DP)**

**2. How are hotels recommended to dispose of electronic waste?**

## **Ex. 5 Deliberative Process (DP)**

3. What should hotel operators know about the process before they begin?

## **Ex. 5 Deliberative Process (DP)**

4. What are some common mistakes that hotel operators make during the disposal process?

**Ex. 5 Deliberative Process (DP)**

5. How can hotels go above and beyond during this process?

**Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

**From:** Elliott Mest [<mailto:emest@questex.com>]

**Sent:** Thursday, August 09, 2018 5:07 PM

**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** Re: Press Inquiry: Hotel Management Magazine TV Recycling Article

Hi Tricia,

Great! My deadline for this story is next Thursday, August 16. Here are the questions I would like to ask:

1. What are the dangers of improperly disposing of TV-related waste to the environment, and what are the legal ramifications?
2. How are hotels recommended to dispose of electronic waste?
3. What should hotel operators know about the process before they begin?
4. What are some common mistakes that hotel operators make during the disposal process?
5. How can hotels go above and beyond during this process?

Thank you,  
Elliott

+++

From: "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)<<mailto:Jones.Enesta@epa.gov>>>

Date: August 15, 2018 at 4:45:39 PM EDT

To: Press <[Press@epa.gov](mailto:Press@epa.gov)<<mailto:Press@epa.gov>>>

Subject: For Review: The Intercept (Sharon Lerner) re Chemours and HFCs (DDL: 8/15)

OAD-drafted response:

On background: **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)



# Ex. 5 Deliberative Process (DP)

From: Sharon Lerner <[sharon.lerner@theintercept.com](mailto:sharon.lerner@theintercept.com)<<mailto:sharon.lerner@theintercept.com>>>  
Date: August 13, 2018 at 10:58:01 AM EDT  
To: Press <[Press@epa.gov](mailto:Press@epa.gov)<<mailto:Press@epa.gov>>>  
Subject: question about Chemours meeting  
Hi EPA Press office -

I'm writing about a meeting between Chemours CEO Mark Vergnano and several EPA officials that took place in May of 2017. According to the record of the meeting, which was noted in Scott Pruitt's public calendar and was also requested in a letter from Vergnano that was included in EPA's production to the Sierra Club, Chemours asked EPA to "help protect U.S. leadership in [the refrigerant] space and protect significant new U.S. investments the company has made." The company also asked for EPA to help ensure a "level playing field" against natural refrigerants.

I'm seeking a comment on what if anything the EPA has done to help protect Chemours investment and level the playing field against natural refrigerants. Also, I'd welcome any comments about how EPA generally sets policy around which refrigerant chemicals will be used to replace HFCs.

My deadline is 5 pm on Wednesday.

Thank you,  
Sharon

Sharon Lerner  
Reporter  
The Intercept

## No Acknowledgement/Response:

**From:** Bonnie Eslinger <[bonnie.eslinger@law360.com](mailto:bonnie.eslinger@law360.com)>  
**Date:** August 17, 2018 at 2:22:38 PM EDT  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Law360: "Coalition Of 23 States, Counties, And Cities In Opposing Trump EPA Plan To Censor Agency Science"

My name is Bonnie Eslinger; I am a news reporter with Law360.

I am writing a story this afternoon on a tight deadline about a coalition lead by New York Attorney General Barbara D. Underwood are calling on EPA Administrator Andrew Wheeler to withdraw the proposed "Strengthening Transparency in Regulatory Science" rule, **saying they stand ready to sue** if the scientific study publication rule isn't pulled.  
<https://ag.ny.gov/press-release/ag-underwood-leads-coalition-23-states-counties-and-cities-opposing-trump-epa-plan>

Does the EPA wish to comment?

Please feel free to respond by email or phone, whichever is easiest for you.

Thank you,  
Bonnie

--

Bonnie Eslinger  
646-856-7091

**From:** Gregory Meyer <[gregory.meyer@ft.com](mailto:gregory.meyer@ft.com)>  
**Date:** August 17, 2018 at 2:01:23 PM EDT  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RFS query from Financial Times

I am a reporter at the Financial Times, writing with a query about the RFS.

The 2019 RVO proposed rulemaking states that EPA evaluated "petitions for exemption from 20 small refineries for the 2016 RFS standards (3 of which were owned by a small refiner) and 29 small refineries for the 2017 RFS standards (8 of which were owned by a small refiner)."

How many exemptions were granted for 2016 and 2017? Industry sources say all of the petitions were granted, and I would like to confirm this with EPA.

Also, I would like to know how EPA plans to address industry requests to 1) end or reallocate small refinery RVO exemptions and 2) allow year-round blending of E15.

Best regards.

Gregory Meyer  
Markets reporter  
Financial Times

+++

**From:** "Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:)" <jdlouhy1@bloomberg.net>  
**Date:** August 17, 2018 at 1:11:27 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** Comment on CPP replacement prooposal?  
**Reply-To:** "Jennifer A. Dlouhy" <jdlouhy1@bloomberg.net>

We are preparing to report that the coming proposal to replace the Clean Power Plan (state guidelines for GHG emissions from existing electric utility generating units) would be modest by comparison to the sweeping reach of the CPP, focusing on heat-rate improvements at individual power plants.

And the structure -- given there's no ambient air quality standard for CO2 -- would be such that states would have broad latitude to write their own requirements.

Critics say that focusing on heat-rate improvements only would yield very limited reductions in CO2 emissions, and by improving efficiency, could inspire plant owners too run the facilities more, effectively reversing those gains and producing more emissions overall.

Does EPA want to respond to any of this?

Thanks,  
Jen.

+++

**From:** "Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:)" <jdlouhy1@bloomberg.net>  
**Date:** August 17, 2018 at 12:52:21 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** Guidance for event next Tuesday in WV?  
**Reply-To:** "Jennifer A. Dlouhy" <jdlouhy1@bloomberg.net>

Greetings, EPA press.

Do you have any for-planning-purposes-only information on CPP-related events (or any other events) and media availabilities next week, to include an appearance by the acting administrator in West Virginia on Tuesday?

Thanks,  
Jen.

+++

**From:** Carolyn Kormann <[carolyn\\_kormann@newyorker.com](mailto:carolyn_kormann@newyorker.com)>  
**Date:** August 17, 2018 at 12:48:33 PM EDT  
**To:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Subject: Re: Fact-checking question from the New Yorker--on deadline

Hi again, Robert,  
Could you (or one of your colleagues) confirm that the new proposal for regulating coal-burning power plants' carbon emissions will be announced, with a draft unveiled, next week? On Tuesday?

Also, regarding the proposed SAFE vehicles rule, does EPA have any comment about the memos released Tuesday that detailed EPA career staff objections to the NHTSA's cost-benefit analyses?

I can be reached at Ex. 6 Personal Privacy (PP) if it'd be easier to discuss. My deadline is 4 PM. Thank you!  
Best,  
Carolyn

+++

**From:** "Vazquez, Jennifer (NBCUniversal)" <[jennifer.vazquez@nbcuni.com](mailto:jennifer.vazquez@nbcuni.com)>  
**Date:** August 17, 2018 at 12:36:02 PM EDT  
**To:** "[daguillard.robert@epa.gov](mailto:daguillard.robert@epa.gov)" <[daguillard.robert@epa.gov](mailto:daguillard.robert@epa.gov)>, "[jones.enesta@epa.gov](mailto:jones.enesta@epa.gov)" <[jones.enesta@epa.gov](mailto:jones.enesta@epa.gov)>, "[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>, "[younes.lina@epa.gov](mailto:younes.lina@epa.gov)" <[younes.lina@epa.gov](mailto:younes.lina@epa.gov)>, "[valentine.julia@epa.gov](mailto:valentine.julia@epa.gov)" <[valentine.julia@epa.gov](mailto:valentine.julia@epa.gov)>, "[grantham.nancy@epa.gov](mailto:grantham.nancy@epa.gov)" <[grantham.nancy@epa.gov](mailto:grantham.nancy@epa.gov)>  
**Subject:** NBC Media Inquiry

Good afternoon,

By way of introduction, my name is Jennifer Vazquez. I am a digital editor with NBC 4 New York and Telemundo 47.

I attempted to contact Mr. Andrew Wheeler to get a comment, but his office voicemail was full. I am seeking comment on the multi-state letter sent Friday, Aug. 17 to Mr. Wheeler, calling on the EPA to withdraw its proposal to limit the use of scientific evidence in the agency's decision-making process. See the link to access the letter: <https://nj.gov/oag/newsreleases18/Multi-State-County-City-Comment-Letter.pdf>

I am on a tight deadline. If you could get back to me as soon as possible, it would be greatly appreciated.

Thank you in advance.

Jennifer Vazquez  
Digital Editor

+++

**From:** John McGarrity [<mailto:john.mcgarritty@energycensus.com>]  
**Sent:** Friday, August 17, 2018 12:21 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Chuck Grassley's meeting with Andrew Wheeler

Hi there Molly, I just want to get the EPA's view on whether the agency has indeed ditched plans on RINs and ethanol exports.

<http://ethanolproducer.com/articles/15538/grassley-epa-not-pursuing-plan-to-attach-rins-to-biofuel-exports>

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[Ethanol Producer Magazine – The Latest News and Data About Ethanol Production](#)

[ethanolproducer.com](http://ethanolproducer.com)

The U.S. EPA is no longer considering a plan would allow renewable identification numbers (RINs) to be applied to exported volumes of biofuels, according to remarks made by Sen. Chuck Grassley, R-Iowa, during an Aug. 15 press call.

Thanks,

John

John McGarrity  
Senior Editor

Energy Census

+++

**From:** Friedman, Lisa [<mailto:lisa.friedman@nytimes.com>]

**Sent:** Friday, August 17, 2018 9:47 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Clean Power Plan story

Hi folks - am doing a story for tomorrow with some details of the proposed new Clean Power Plan rule. Is anyone from EPA able to talk or send a statement?

Hoping to get a general comment on what this will achieve but also specifically hoping you can address how the agency has come to the number of projected premature deaths from rising emissions.

Also wondering if you can say anything on of off record about the rollout. Ty  
Lisa

Ex. 6 Personal Privacy (PP) today

--

Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/17/2018 9:01:33 PM  
**To:** Polansek, Tom (Reuters) [Thomas.Polansek@thomsonreuters.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Reuters News inquiry - dicamba

Tom, with apologies for the late response, and for attribution to “an EPA Spokesperson,” please:

**Incoming #1:** Can you please confirm that EPA plans to announce this month its decision on whether to extend the registration for dicamba? That is what Mike Goodis said in this DTN article:<https://www.dtnpf.com/agriculture/web/ag/news/crops/article/2018/08/09/epa-listens-dicamba-discussion>

**Response #1:** Our goal is to make a decision in time for growers to make informed seed purchase decisions for the next planting season.

**Incoming #2:** I am planning to report that EPA officials including Reuben Baris visited farms in Tennessee, Missouri and Arkansas in July for a first-hand look at damage from dicamba moving off target. Can you please tell me why EPA wanted to take that tour?

**Response #2:** EPA was invited by the Arkansas State Plant Board to visit with growers, state regulators, and researchers in Arkansas, Tennessee, and Missouri to discuss dicamba in the mid-south. They provided EPA with their first-hand experiences, using dicamba as part of their weed management practices, and helped EPA better understand the impacts that are being reported formally and informally to state departments of agriculture.

**Incoming #3:** Can you please explain how EPA will make its decision about whether to extend the registration for dicamba?

**Response #3:** We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year and in 2017. EPA is using the best available information from several sources to develop a decision that balances protection of the environment with the benefits this technology offers growers for weed control and crop production. EPA will consider both quantitative and qualitative information to formulate a decision. As a result, EPA is working closely with academia, growers, state officials, weed management experts, industry, and the public in order to gather available information that helps us make our decision, including:

- incident data,
- yield information (or potential impacts on yield),
- off-target impacts to plants, including non-dicamba-tolerant soybeans
- conversations with individuals in the field, and
- narrative information contained in state reports.

**Incoming #4:** Does the agency have any comment on states such as Illinois, Indiana and North Dakota receiving more complaints this year than last year on dicamba damage?

**Response #4:** EPA continues to gather information to inform this decision and will use all available evidence when evaluating dicamba registrations

Cheers, R.

Robert Daguillard  
Office of Media Relations

U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Polansek, Tom (Reuters) [mailto:Thomas.Polansek@thomsonreuters.com]  
**Sent:** Friday, August 10, 2018 5:51 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Reuters News inquiry - dicamba

Hi Robert, This is Tom Polansek from Reuters News in Chicago. Hope you are doing well!  
I would like to ask for a comment for an article that I am writing about the herbicide called dicamba.  
Can you please confirm that EPA plans to announce this month its decision on whether to extend the registration for dicamba? That is what Mike Goodis said in this DTN article:

<https://www.dtnpf.com/agriculture/web/ag/news/crops/article/2018/08/09/epa-listens-dicamba-discussion>

I am planning to report that EPA officials including Reuben Baris visited farms in Tennessee, Missouri and Arkansas in July for a first-hand look at damage from dicamba moving off target. Can you please tell me why EPA wanted to take that tour?

Can you please explain how EPA will make its decision about whether to extend the registration for dicamba?  
Does the agency have any comment on states such as Illinois, Indiana and North Dakota receiving more complaints this year than last year on dicamba damage?

Please get back to me by the end of the day on Tuesday, Aug. 14. Thank you!

Tom

Tom Polansek  
Reporter

Thomson Reuters

Phone: 312-408-8556

Mobile: Ex. 6 Personal Privacy (PP)

[thomas.polansek@thomsonreuters.com](mailto:thomas.polansek@thomsonreuters.com)

Tweet me: [@tpolansek](https://twitter.com/tpolansek)



Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/17/2018 8:20:17 PM  
**To:** edward@thebusinessjournal.com  
**CC:** Press [Press@epa.gov]; Zito, Kelly [ZITO.KELLY@EPA.GOV]; Glenn, William [Glenn.William@epa.gov]  
**Subject:** Subject: Press Inquiry—glyphosate

Good afternoon,

For attribution to “an EPA Spokesperson,” please,

As stated in our [December 2017 announcement](#), EPA’s draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency’s scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA’s human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our [Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential](#).

Also, for information on the way EPA sets pesticide tolerances: <https://www.epa.gov/pesticide-tolerances/setting-tolerances-pesticide-residues-foods>

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

**From:** Edward Smith <[edward@thebusinessjournal.com](mailto:edward@thebusinessjournal.com)>  
**Date:** August 17, 2018 at 9:59:29 AM PDT  
**To:** [zito.kelly@epa.gov](mailto:zito.kelly@epa.gov)  
**Subject:** Press Inquiry—glyphosate

Hello Kelly,

My name is Edward and I’m a reporter with the Business Journal in Fresno. I’m working on a story following the Roundup ruling earlier this week and I was wondering if the EPA is going to be reevaluating glyphosate following the court’s decision. I’m working on a deadline of about Tuesday, is there anyway you’d be able to answer some questions, my phone number is 

Ex. 6 Personal Privacy (PP)

Thanks!

**Edward Smith**

Researcher

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Message

---

**From:** Elizabeth Robichaux Brown [BrownE@aljazeera.net]  
**Sent:** 8/17/2018 6:49:31 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Al Jazeera English Request

Thank you  
Liz

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Friday, August 17, 2018 2:43 PM  
**To:** Elizabeth Robichaux Brown <BrownE@aljazeera.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Al Jazeera English Request

Good afternoon,

For attribution to “an EPA Spokesperson,” please,

As stated in our [December 2017 announcement](#), EPA’s draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency’s scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA’s human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our [Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential](#).

Also, for information on the way EPA sets pesticide tolerances: <https://www.epa.gov/pesticide-tolerances/setting-tolerances-pesticide-residues-foods>

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Elizabeth Robichaux Brown [mailto:BrownE@aljazeera.net]

**Sent:** Friday, August 17, 2018 2:40 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Al Jazeera English Request

Hello

What is the EPA's reaction to the Environmental Working Group's report on weed killer and popular cereal and snack items?

Is the EPA looking into the report?

What's the EPA's position on glyphosate?

Elizabeth Brown

Al Jazeera English, Producer

201-724-8345

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Message

---

**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 8/17/2018 4:02:05 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Grantham, Nancy [Grantham.Nancy@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** Open Inquiries' Afternoon Edition, 8/17/18

**13 Awaiting Third-Floor Approval:**

**From:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Date:** August 17, 2018 at 11:46:12 AM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: E&E (Sean Reilly) re proposed amendments to clay ceramics NESHAP (DDL: noon, 8/17)  
<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->

**On background:** **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->

**From:** Sean Reilly <sreilly@eenews.net>  
**Date:** August 17, 2018 at 10:12:04 AM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** Proposed amendments to clay ceramics NESHAP

<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->  
Hi folks:

Quick question related to a story I'm doing this morning on this proposed rule (<https://s3.amazonaws.com/public-inspection.federalregister.gov/2018-17933.pdf>), given that the NESAHP regs in question also apply to brick manufacturers.

Is EPA planning a separate proposed rule to address other concerns raised by the brick industry and, if so, is there an approximate ETA for publication in the Federal Register?

My deadline is noon today.

Thanks,  
Sean

Sean Reilly

+++

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** August 17, 2018 at 11:23:20 AM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** FOR APPROVAL: Proposed response to ADAO re: Asbestos.

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

The Toxic Chemicals program is objecting to the part of a news release from the Asbestos Disease Awareness Organization (ADAO), [https://www.oaoa.com/news/business/article\\_2f1ac6d9-0444-5584-830f-7c7672e3a9d5.html?mode=jgm](https://www.oaoa.com/news/business/article_2f1ac6d9-0444-5584-830f-7c7672e3a9d5.html?mode=jgm), that says the Obama Administration was planning to ban asbestos. OK to send the proposed response?

**Statement from ADAO:** This problem formulation completes the single-minded effort of the 'Trump EPA' to narrow the asbestos risk evaluation to the point of ignoring nearly all the risks of asbestos in American workplaces, residences, schools and commercial buildings-- undoing the decision of the 'Obama EPA' to use the reformed Toxic Substances Control Act to finally impose a much-delayed ban on asbestos use in the U.S., which now is virtually unregulated.

EPA response:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

+++

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Date:** August 17, 2018 at 10:47:36 AM EDT

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** For Review: BNV - Delay of neonic pesticide reviews

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

The program says:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Good to send?

**Incoming:** I see that EPA has edited its webpage to delay the review of neonics to next year

<https://www.epa.gov/pollinator-protection/schedule-review-neonicotinoid-pesticides> (see attachment). Why is a delay necessary? Have you announced this delay? Do you plan to make an announcement?

Response:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**From:** Stecker, Tiffany [<mailto:tstecker@bloombergenvironment.com>]

**Sent:** Friday, August 17, 2018 9:19 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Cc:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Delay of neonic pesticide reviews

Hello all,

I see that EPA has edited its webpage to delay the review of neonics to next year <https://www.epa.gov/pollinator-protection/schedule-review-neonicotinoid-pesticides> (see attachment). Why is a delay necessary? Have you announced this delay? Do you plan to make an announcement?

Deadline is as soon as possible.

Thanks!

[illegible]

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** August 17, 2018 at 8:46:12 AM EDT  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** For Review: Dicamba lawsuit comments - Bloomberg

<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->

## Ex. 5 Deliberative Process (DP)

Robert Dagguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

Lydia Mulvany  
Bloomberg News

+++

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Date:** August 16, 2018 at 5:46:45 PM EDT

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject: For Review: Washington Post - Glyphosate inquiry**

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

**From the program. Good to send?**

**Incoming:** looking for reference dose for glyphosate. Have seen everything from .1 mg/kg of bodyweight to 2mg/kg bw.

**Response:** **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

**From:** Dewey, Caitlin [<mailto:Caitlin.Dewey@washpost.com>]

**Sent:** Thursday, August 16, 2018 4:51 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Glyphosate inquiry

Hey – again, looking for reference dose for glyphosate. Have seen everything from .1 mg/kg of bodyweight to 2mg/kg bw.

We want to be able to say what daily level of glyphosate consumption EPA considers safe – let me know if that's not the figure I should be using. Thanks!

Caitlin

--

Caitlin Dewey

The Washington Post

@caitlindewey // 202-334-9325 (desk)

**Note:** If I'm not available to take your call, email is best.

+++

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Date:** August 16, 2018 at 5:02:00 PM EDT

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject: For Review: Bloomberg News - Diesel Truck Follow-up - DDL ASAP**

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

Response to a follow-up inquiry on diesel trucks from Bloomberg News. Good to send?

ORIGINAL RESPONSE: It is estimated that the clean diesel (MY2007 and later) trucks represent about 51% of the heavy-duty fleet in CY2016. For comparing the pre- and post-2007 standards, it's not so easy for NOx, as prior to 2007, it was an



"NMHC + NOx" standard (2.4 g/bhp-hr), whereas 2007-and-newer engines have separate HC (0.14 g/bhp-hr) and NOx (0.2 g/bhp-hr) standards. You could say that "NMHC + NOx" for 2007-and-newer engines is 0.34 g/bhp-hr (0.14 + 0.2), which is a 85% reduction from pre-2007 levels.

Follow up: I guess my only follow-up question would be what makes up the other 49 percent of truck penetration in the U.S.?

Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Brianna Jackson (BLOOMBERG/ NEWSROOM:) [mailto:bjackson125@bloomberg.net]

Sent: Thursday, August 09, 2018 11:26 AM

To: Daguiard, Robert <Daguiard.Robert@epa.gov>

Subject: RE: Reaching out...

Hi Robert,

Thanks for getting back to me on those numbers. I guess my only follow-up question would be what makes up the other 49 percent of truck penetration in the U.S.?

+++

From: "Daguiard, Robert" <Daguiard.Robert@epa.gov>

Date: August 16, 2018 at 4:34:31 PM EDT

To: Press <Press@epa.gov>

Subject: For Review:: Reuters News inquiry - dicamba

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

From the program. OK to send for attribution?

Incoming #1: Can you please confirm that EPA plans to announce this month its decision on whether to extend the registration for dicamba? That is what Mike Goodis said in this DTN article:<https://www.dtnpf.com/agriculture/web/ag/news/crops/article/2018/08/09/epa-listens-dicamba-discussion>

Response #1: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Incoming #2: I am planning to report that EPA officials including Reuben Baris visited farms in Tennessee, Missouri and Arkansas in July for a first-hand look at damage from dicamba moving off target. Can you please tell me why EPA wanted to take that tour?

Response #2: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Incoming #3: Can you please explain how EPA will make its decision about whether to extend the registration for dicamba?

Response #3: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

**Incoming #4:** Does the agency have any comment on states such as Illinois, Indiana and North Dakota receiving more complaints this year than last year on dicamba damage?

**Response #4:** Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Polansek, Tom (Reuters) [mailto:Thomas.Polansek@thomsonreuters.com]

**Sent:** Friday, August 10, 2018 5:51 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Reuters News inquiry - dicamba

Hi Robert, This is Tom Polansek from Reuters News in Chicago. Hope you are doing well!

I would like to ask for a comment for an article that I am writing about the herbicide called dicamba.

Can you please confirm that EPA plans to announce this month its decision on whether to extend the registration for dicamba? That is what Mike Goodis said in this DTN

article:<https://www.dtnpf.com/agriculture/web/ag/news/crops/article/2018/08/09/epa-listens-dicamba-discussion>

I am planning to report that EPA officials including Reuben Baris visited farms in Tennessee, Missouri and Arkansas in July for a first-hand look at damage from dicamba moving off target. Can you please tell me why EPA wanted to take that tour?

Can you please explain how EPA will make its decision about whether to extend the registration for dicamba?

Does the agency have any comment on states such as Illinois, Indiana and North Dakota receiving more complaints this year than last year on dicamba damage?

Please get back to me by the end of the day on Tuesday, Aug. 14. Thank you!

Tom

Tom Polansek  
Reporter  
Thomson Reuters

+++

I'd direct her to Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

From: Mihir Zaveri [mailto:mihir.zaveri@nytimes.com]  
Sent: Wednesday, August 15, 2018 3:09 PM  
To: Daguillard, Robert <Daguillard.Robert@epa.gov<mailto:Daguillard.Robert@epa.gov>>  
Cc: Press <Press@epa.gov<mailto:Press@epa.gov>>  
Subject: Re: Glyphosate and cereals, oats

Hello -- I'd like to add one more question, so both questions together:

-- Would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?  
-- What do you think about the Environmental Working Group in general? Do they present fair arguments or counterpoints?

Mihir  
+++

Now with Rich Yamada's edits. Please advise if this is OK to send.

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

From: Konkus, John  
Sent: Tuesday, August 14, 2018 3:55 PM  
To: Jones, Enesta <Jones.Enesta@epa.gov<mailto:Jones.Enesta@epa.gov>>; Block, Molly <block.molly@epa.gov<mailto:block.molly@epa.gov>>; Hewitt, James <hewitt.james@epa.gov<mailto:hewitt.james@epa.gov>>; Abboud, Michael <abboud.michael@epa.gov<mailto:abboud.michael@epa.gov>>  
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov<mailto:Grantham.Nancy@epa.gov>>; Daguillard, Robert <Daguillard.Robert@epa.gov<mailto:Daguillard.Robert@epa.gov>>; Lynn, Tricia

<lynn.tricia@epa.gov<mailto:lynn.tricia@epa.gov>>

Subject: RE: Open Inquiries, 8/14/18

Who in ORD approved this response: Response:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

You can say

Ex. 5 Deliberative Process (DP)

Everything else is good to go.

Thank you Enesta!

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

+++

The program is recommending its general statement on pesticides. The reporter said she'd accept general information along those lines, as she's on a tight deadline and plans to file her story by the end of the day. OK to send?

## Ex. 5 Deliberative Process (DP)

From: Vyas, Aditi X. -ND [<mailto:Aditi.X.Vyas.-ND@abc.com>]

Sent: Thursday, August 16, 2018 9:20 AM

To: Mears, Mary <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)<mailto:Mears.Mary@epa.gov>>

Subject: Requesting an interview an expert

Hi Mary,

Hope this email finds you well. My name is Aditi Vyas and I'm a physician on the medical unit for ABC News. We are doing a digital story on a recent study that came out saying DDE (insecticide) is related to autism. (I've attached the study to this email).

I was wondering if you could put me in touch with an expert who might be able to give me some comments regarding pesticides in general?

Thank you so much and I look forward to hearing from you,

Aditi

[ABCLOGO2]

Aditi Vyas MD, MHA | Resident Physician, Resident ABC NEWS Medical Unit | [47 West](#)

+++

**From:** "Lynn, Tricia" <lynn.tricia@epa.gov>

**Date:** August 16, 2018 at 11:02:56 AM EDT

**To:** Press <Press@epa.gov>

**Subject:** FOR REVIEW: Waterways Journal (Jim Meyers) RE: "How's My Waterway" app. (8/16)

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

Reporter is asking about the "How's My Waterway" web app. Jim Meyers, Waterways DC.

**Suggested Response:**

On background:

## Ex. 5 Deliberative Process (DP)

**From:** Jim Myers [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]

**Sent:** Wednesday, August 15, 2018 12:27 PM

**To:** Press <Press@epa.gov>

**Subject:** Media inquiry on EPA link

Hello,

I received the link below as part of one of my news alerts. Not sure what to make of it? Is it a new link now open to the public? Any other information?

Thanks,

Jim Myers  
The Waterways Journal

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

+++

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

---

**From:** Lynn, Tricia

**Sent:** Wednesday, August 15, 2018 3:30 PM

**To:** Press <Press@epa.gov>

**Subject:** FOR REVIEW: Hotel Management Magazine (Elliott Mest) RE: TV Recycling (8/16)

Reporter is asking about TV recycling. Elliott Mest, Hotel Management Magazine.

**Suggested Response:**

For attribution to "an EPA spokesperson,"

1. What are the dangers of improperly disposing of TV-related waste to the environment, and what are the legal ramifications?

## **Ex. 5 Deliberative Process (DP)**

2. How are hotels recommended to dispose of electronic waste?

## **Ex. 6 Personal Privacy (PP)**

3. What should hotel operators know about the process before they begin?

## Ex. 5 Deliberative Process (DP)

4. What are some common mistakes that hotel operators make during the disposal process?

Ex. 5 Deliberative Process (DP)

5. How can hotels go above and beyond during this process?

## Ex. 5 Deliberative Process (DP)

---

**From:** Elliott Mest [<mailto:emest@questex.com>]

**Sent:** Thursday, August 09, 2018 5:07 PM

**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** Re: Press Inquiry: Hotel Management Magazine TV Recycling Article

Hi Tricia,

Great! My deadline for this story is next Thursday, August 16. Here are the questions I would like to ask:

1. What are the dangers of improperly disposing of TV-related waste to the environment, and what are the legal ramifications?

2. How are hotels recommended to dispose of electronic waste?
3. What should hotel operators know about the process before they begin?
4. What are some common mistakes that hotel operators make during the disposal process?
5. How can hotels go above and beyond during this process?

Thank you,  
Elliott

<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->  
+++

<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->

From: "Jones, Enesta" <Jones.Enesta@epa.gov<mailto:Jones.Enesta@epa.gov>>  
Date: August 15, 2018 at 4:45:39 PM EDT  
To: Press <Press@epa.gov<mailto:Press@epa.gov>>  
Subject: For Review: The Intercept (Sharon Lerner) re Chemours and HFCs (DDL: 8/15)  
OAR-drafted response:

On background: **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

From: Sharon Lerner <sharon.lerner@theintercept.com<mailto:sharon.lerner@theintercept.com>>  
Date: August 13, 2018 at 10:58:01 AM EDT  
To: Press <Press@epa.gov<mailto:Press@epa.gov>>  
Subject: question about Chemours meeting  
Hi EPA Press office -

I'm writing about a meeting between Chemours CEO Mark Vergnano and several EPA officials that took place in May of 2017. According to the record of the meeting, which was noted in Scott Pruitt's public calendar and was also requested in a letter from Vergnano that was included in EPA's production to the Sierra Club, Chemours asked EPA to "help protect U.S. leadership in [the refrigerant] space and protect significant new U.S. investments the company has made." The company also asked for EPA to help ensure a "level playing field" against natural refrigerants.

I'm seeking a comment on what if anything the EPA has done to help protect Chemours investment and



level the playing field against natural refrigerants. Also, I'd welcome any comments about how EPA generally sets policy around which refrigerant chemicals will be used to replace HFCs.

My deadline is 5 pm on Wednesday.

Thank you,  
Sharon

Sharon Lerner  
Reporter  
The Intercept

**No Acknowledgement/Response:**

**From:** Friedman, Lisa [<mailto:lisa.friedman@nytimes.com>]  
**Sent:** Friday, August 17, 2018 9:47 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Clean Power Plan story

Hi folks - am doing a story for tomorrow with some details of the proposed new Clean Power Plan rule. Is anyone from EPA able to talk or send a statement?

Hoping to get a general comment on what this will achieve but also specifically hoping you can address how the agency has come to the number of projected premature deaths from rising emissions.

Also wondering if you can say anything on of off record about the rollout. Ty  
Lisa

**Ex. 6 Personal Privacy (PP)** today

--

Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office

**Ex. 6 Personal Privacy (PP)** cell

Message

---

**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 8/17/2018 12:02:27 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]  
**CC:** Grantham, Nancy [Grantham.Nancy@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** Open Inquiries' Morning Edition, 8/17/18

**10 Awaiting Third-Floor Approval:**

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** August 16, 2018 at 6:57:08 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** RE: Dicamba lawsuit comments - Bloomberg

OK to [Ex. 5 Deliberative Process (DP)]?

Cheers, R.

**Robert Daguillard**  
**Office of Media Relations**  
**U.S. Environmental Protection Agency**  
**Washington, DC**  
**+1 (202) 564-6618 (O)**  
**[Ex. 6 Personal Privacy (PP)] (M)**

---

**From:** Lydia Mulvany (BLOOMBERG/ NEWSROOM:) [mailto:lmulvany2@bloomberg.net]  
**Sent:** Thursday, August 16, 2018 5:47 PM  
**To:** Press <Press@epa.gov>  
**Cc:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Dicamba lawsuit comments - Bloomberg

Hello,

I'm writing an article about dicamba which may go out overnight. There is mention of a lawsuit against the EPA for granting dicamba's registration. Please let me know if you have any comments on the following, and even if you can get back to me tomorrow morning, we will be able to update the story:

---Some organizations are suing EPA for granting dicamba's registration. It looks like oral arguments are scheduled for Aug. 29 in Seattle (National Family Farm Coalition v. EPA, 9th Cir., No. 17-70196, 6/20/18.) It sounds like, among the complaints, that they're saying the EPA's label for dicamba was too complicated for farmers to follow, and that it violates Endangered Species Act.

---Do you have comment about whether or not EPA intends to renew dicamba's registration?

Thank you

Lydia Mulvany  
Bloomberg News

+++

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** August 16, 2018 at 5:46:45 PM EDT  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject: For Review: Washington Post - Glyphosate inquiry**  
<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->  
**From the program. Good to send?**

**Incoming:** looking for reference dose for glyphosate. Have seen everything from .1 mg/kg of bodyweight to 2mg/kg bw.

**Response:** **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

**From:** Dewey, Caitlin [<mailto:Caitlin.Dewey@washpost.com>]  
**Sent:** Thursday, August 16, 2018 4:51 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Glyphosate inquiry

Hey – again, looking for reference dose for glyphosate. Have seen everything from .1 mg/kg of bodyweight to 2mg/kg bw.

We want to be able to say what daily level of glyphosate consumption EPA considers safe – let me know if that’s not the figure I should be using. Thanks!  
Caitlin

--  
Caitlin Dewey  
The Washington Post  
[@caitlindewey](mailto:caitlindewey) // 202-334-9325 (desk)

**Note:** If I’m not available to take your call, email is best.

+++

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** August 16, 2018 at 5:02:00 PM EDT  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject: For Review: Bloomberg News - Diesel Truck Follow-up - DDL ASAP**

Response to a follow-up inquiry on diesel trucks from Bloomberg News. Good to send?

ORIGINAL RESPONSE: It is estimated that the clean diesel (MY2007 and later) trucks represent about 51% of the heavy-duty fleet in CY2016. For comparing the pre- and post-2007 standards, it’s not so easy for NOx, as prior to 2007, it was an “NMHC + NOx” standard (2.4 g/bhp-hr), whereas 2007-and-newer engines have

separate HC (0.14 g/bhp-hr) and NOx (0.2 g/bhp-hr) standards. You could say that “NMHC + NOx” for 2007-and-newer engines is 0.34 g/bhp-hr (0.14 + 0.2), which is a 85% reduction from pre-2007 levels.

Follow up: I guess my only follow-up question would be what makes up the other 49 percent of truck penetration in the U.S.?

**Response:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

**From:** Brianna Jackson (BLOOMBERG/ NEWSROOM:) [mailto:bjackson125@bloomberg.net]

**Sent:** Thursday, August 09, 2018 11:26 AM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** RE: Reaching out...

Hi Robert,

Thanks for getting back to me on those numbers. I guess my only follow-up question would be what makes up the other 49 percent of truck penetration in the U.S.?

+++

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>

**Date:** August 16, 2018 at 4:34:31 PM EDT

**To:** Press <Press@epa.gov>

**Subject:** For Review:: Reuters News inquiry - dicamba

From the program. OK to send for attribution?

**Incoming #1:** Can you please confirm that EPA plans to announce this month its decision on whether to extend the registration for dicamba? That is what Mike Goodis said in this DTN article: <https://www.dtnpf.com/agriculture/web/ag/news/crops/article/2018/08/09/epa-listens-dicamba-discussion>

**Response #1:** Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

**Incoming #2:** I am planning to report that EPA officials including Reuben Baris visited farms in Tennessee, Missouri and Arkansas in July for a first-hand look at damage from dicamba moving off target. Can you please tell me why EPA wanted to take that tour?

**Response #2:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

**Incoming #3:** Can you please explain how EPA will make its decision about whether to extend the registration for dicamba?

**Response #3:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

**Incoming #4:** Does the agency have any comment on states such as Illinois, Indiana and North Dakota receiving more complaints this year than last year on dicamba damage?

**Response #4:**

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

**Robert Daguillard**  
**Office of Media Relations**  
**U.S. Environmental Protection Agency**  
**Washington, DC**  
**+1 (202) 564-6618 (O)**

**Ex. 6 Personal Privacy (PP) (M)**

---

**From:** Polansek, Tom (Reuters) [<mailto:Thomas.Polansek@thomsonreuters.com>]  
**Sent:** Friday, August 10, 2018 5:51 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Reuters News inquiry - dicamba

Hi Robert, This is Tom Polansek from Reuters News in Chicago. Hope you are doing well!  
I would like to ask for a comment for an article that I am writing about the herbicide called dicamba. Can you please confirm that EPA plans to announce this month its decision on whether to extend the registration for dicamba? That is what Mike Goodis said in this DTN article: <https://www.dtnpf.com/agriculture/web/ag/news/crops/article/2018/08/09/epa-listens-dicamba-discussion>  
I am planning to report that EPA officials including Reuben Baris visited farms in Tennessee, Missouri and Arkansas in July for a first-hand look at damage from dicamba moving off target. Can you please tell me why EPA wanted to take that tour?  
Can you please explain how EPA will make its decision about whether to extend the registration for dicamba? Does the agency have any comment on states such as Illinois, Indiana and North Dakota receiving more complaints this year than last year on dicamba damage?  
Please get back to me by the end of the day on Tuesday, Aug. 14. Thank you!  
Tom

**Tom Polansek**  
Reporter  
**Thomson Reuters**

+++

I'd direct her to

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

From: Mihir Zaveri [mailto:mihir.zaveri@nytimes.com]  
Sent: Wednesday, August 15, 2018 3:09 PM  
To: Daguillard, Robert <Daguillard.Robert@epa.gov<mailto:Daguillard.Robert@epa.gov>>  
Cc: Press <Press@epa.gov<mailto:Press@epa.gov>>  
Subject: Re: Glyphosate and cereals, oats

Hello -- I'd like to add one more question, so both questions together:

-- Would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?  
-- What do you think about the Environmental Working Group in general? Do they present fair arguments or counterpoints?

Mihir  
<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->  
+++

Now with Rich Yamada's edits. Please advise if this is OK to send.

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

From: Konkus, John  
Sent: Tuesday, August 14, 2018 3:55 PM  
To: Jones, Enesta <Jones.Enesta@epa.gov<mailto:Jones.Enesta@epa.gov>>; Block, Molly

<block.molly@epa.gov<mailto:block.molly@epa.gov>>; Hewitt, James  
<hewitt.james@epa.gov<mailto:hewitt.james@epa.gov>>; Abboud, Michael  
<abboud.michael@epa.gov<mailto:abboud.michael@epa.gov>>  
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov<mailto:Grantham.Nancy@epa.gov>>; Daguillard, Robert  
<Daguillard.Robert@epa.gov<mailto:Daguillard.Robert@epa.gov>>; Lynn, Tricia  
<lynn.tricia@epa.gov<mailto:lynn.tricia@epa.gov>>  
Subject: RE: Open Inquiries, 8/14/18

Who in ORD approved this response: Response: **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

You can say: **Ex. 5 Deliberative Process (DP)**

Everything else is good to go.

Thank you Enesta!

<!--[endif]-->  
+++

The program is recommending **Ex. 5 Deliberative Process (DP)** The reporter said she'd accept general information along those lines, as she's on a tight deadline and plans to file her story by the end of the day. OK to send?

## Ex. 5 Deliberative Process (DP)

Learn more: <https://www.epa.gov/pesticide-registration/about-pesticide-registration>

From: Vyas, Aditi X. -ND [mailto:Aditi.X.Vyas.-ND@abc.com]  
Sent: Thursday, August 16, 2018 9:20 AM  
To: Mears, Mary <Mears.Mary@epa.gov<mailto:Mears.Mary@epa.gov>>  
Subject: Requesting an interview an expert

Hi Mary,

Hope this email finds you well. My name is Aditi Vyas and I'm a physician on the medical unit for ABC News. We are doing a digital story on a recent study that came out saying DDE (insecticide) is related to autism. (I've attached the study to this email).

I was wondering if you could put me in touch with an expert who might be able to give me some comments regarding pesticides in general?

Thank you so much and I look forward to hearing from you,

Aditi

[ABCLOGO2]

Aditi Vyas MD, MHA | Resident Physician, Resident ABC NEWS Medical Unit | [47 West](#)

+++

**From:** "Lynn, Tricia" <lynn.tricia@epa.gov>  
**Date:** August 16, 2018 at 11:02:56 AM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Waterways Journal (Jim Meyers) RE: "How's My Waterway" app. (8/16)

<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->

Reporter is asking about the "How's My Waterway" web app. Jim Meyers, Waterways DC.

**Suggested Response:**

On background:

## Ex. 5 Deliberative Process (DP)

**From:** Jim Myers [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]  
**Sent:** Wednesday, August 15, 2018 12:27 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Media inquiry on EPA link

Hello,

I received the link below as part of one of my news alerts. Not sure what to make of it? Is it a new link now open to the public? Any other information?

Thanks,

Jim Myers  
The Waterways Journal

<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->  
+++

<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->

---

**From:** Lynn, Tricia  
**Sent:** Wednesday, August 15, 2018 3:30 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Hotel Management Magazine (Elliott Mest) RE: TV Recycling (8/16)

Reporter is asking about TV recycling. Elliott Mest, Hotel Management Magazine.

-



Suggested Response:

For attribution to “an EPA spokesperson,”

1. What are the dangers of improperly disposing of TV-related waste to the environment, and what are the legal ramifications?

## **Ex. 5 Deliberative Process (DP)**

2. How are hotels recommended to dispose of electronic waste?

## **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

3. What should hotel operators know about the process before they begin?

## Ex. 5 Deliberative Process (DP)

4. What are some common mistakes that hotel operators make during the disposal process?

### Ex. 5 Deliberative Process (DP)

5. How can hotels go above and beyond during this process?

## Ex. 5 Deliberative Process (DP)

---

**From:** Elliott Mest [<mailto:emest@questex.com>]

**Sent:** Thursday, August 09, 2018 5:07 PM

**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** Re: Press Inquiry: Hotel Management Magazine TV Recycling Article

Hi Tricia,

Great! My deadline for this story is next Thursday, August 16. Here are the questions I would like to ask:

1. What are the dangers of improperly disposing of TV-related waste to the environment, and what are the legal ramifications?
2. How are hotels recommended to dispose of electronic waste?
3. What should hotel operators know about the process before they begin?
4. What are some common mistakes that hotel operators make during the disposal process?
5. How can hotels go above and beyond during this process?

Thank you,  
Elliott

<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->  
+++

<!--[if !supportLineBreakNewLine]-->  
<!--[endif]-->

From: "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)<<mailto:Jones.Enesta@epa.gov>>>  
Date: August 15, 2018 at 4:45:39 PM EDT  
To: Press <[Press@epa.gov](mailto:Press@epa.gov)<<mailto:Press@epa.gov>>>  
Subject: For Review: The Intercept (Sharon Lerner) re Chemours and HFCs (DDL: 8/15)  
OAR-drafted response:

On background: **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

From: Sharon Lerner <[sharon.lerner@theintercept.com](mailto:sharon.lerner@theintercept.com)<<mailto:sharon.lerner@theintercept.com>>>  
Date: August 13, 2018 at 10:58:01 AM EDT  
To: Press <[Press@epa.gov](mailto:Press@epa.gov)<<mailto:Press@epa.gov>>>  
Subject: question about Chemours meeting  
Hi EPA Press office -

I'm writing about a meeting between Chemours CEO Mark Vergnano and several EPA officials that took place in May of 2017. According to the record of the meeting, which was noted in Scott Pruitt's public calendar and was also requested in a letter from Vergnano that was included in EPA's production to the

Sierra Club, Chemours asked EPA to “help protect U.S. leadership in [the refrigerant] space and protect significant new U.S. investments the company has made.” The company also asked for EPA to help ensure a “level playing field” against natural refrigerants.

I’m seeking a comment on what if anything the EPA has done to help protect Chemours investment and level the playing field against natural refrigerants. Also, I’d welcome any comments about how EPA generally sets policy around which refrigerant chemicals will be used to replace HFCs.

My deadline is 5 pm on Wednesday.

Thank you,  
Sharon

Sharon Lerner  
Reporter  
The Intercept

Message

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/16/2018 8:17:26 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Grantham, Nancy [Grantham.Nancy@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** THIRD FLOOR: Open inquiries list, August 16, 2018  
**Attachments:** 2017\_12\_07 UARG briefing at Hunton with PowerPoint.pdf; 2017\_12\_5 NSR Staff meeting Wehrum Calendar.pdf; 2017\_11\_3 AFPM\_Hunton Presentation Shared by with EPA STAFF.PDF

- [The Intercept: Chemours & HFCs](#)
- [Waterways Journal: How's My Waterway?](#)
- [E&E News: EFAB](#)
- [ABC News: DDE & Autism](#)
- [NY Times: Glyphosate & Oats \(follow-up questions on EWG report\)](#)
- [Financial Times: RVO](#)
- [Undark: OPP/ORD conversations on glyphosate](#)
- [New York Times: Bill Wehrum](#)
- [Allentown \(PA\). Morning Call: OIG Report on Missed Payment Deadlines](#)

+++++

Good to send?

**From:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Date:** August 15, 2018 at 4:45:39 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: The Intercept (Sharon Lerner) re Chemours and HFCs (DDL: 8/15)

OAR-drafted response:

On background: Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

**From:** Sharon Lerner <sharon.lerner@theintercept.com>

**Date:** August 13, 2018 at 10:58:01 AM EDT

**To:** Press <Press@epa.gov>

**Subject:** question about Chemours meeting

Hi EPA Press office -

I'm writing about a meeting between Chemours CEO Mark Vergnano and several EPA officials that took place in May of 2017. According to the record of the meeting, which was noted in Scott Pruitt's public calendar and was also requested in a letter from Vergnano that was included in EPA's production to the Sierra Club, Chemours asked EPA to "help protect U.S. leadership in [the refrigerant] space and protect significant new U.S. investments the company has made." The company also asked for EPA to help ensure a "level playing field" against natural refrigerants.

I'm seeking a comment on what if anything the EPA has done to help protect Chemours investment and level the playing field against natural refrigerants. Also, I'd welcome any comments about how EPA generally sets policy around which refrigerant chemicals will be used to replace HFCs.

My deadline is 5 pm on Wednesday.

Thank you,  
Sharon

**Sharon Lerner**

**Reporter**

**The Intercept**

**mobile/signal** Ex. 6 Personal Privacy (PP)

**@fastlerner**

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PGP:

CB29 D9FF 9285 3205 087E 83A1 0C30 2F39 4F30 8BFE

+++++

Reporter is asking about the "How's My Waterway" web app. Jim Meyers, Waterways DC.

**Suggested Response:**

On background:

## Ex. 5 Deliberative Process (DP)

**From:** Jim Myers [mailto: Ex. 6 Personal Privacy (PP)]

**Sent:** Wednesday, August 15, 2018 12:27 PM

**To:** Press <Press@epa.gov>

**Subject:** Media inquiry on EPA link

Hello,

I received the link below as part of one of my news alerts. Not sure what to make of it? Is it a new link now open to the public? Any other information?

Thanks,

Jim Myers  
The Waterways Journal

cell: Ex. 6 Personal Privacy (PP)

<https://watersgeo.epa.gov/mywaterway/>

+++++

**Michael, third floor, I reached out to get the specificity of his request. I am now turning this over to you based on his line of questioning.**

**From:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
**Date:** August 16, 2018 at 11:10:25 AM EDT  
**To:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** RE: EFAB

Hi Enesta:

No questions about coal ash at this point. Regarding EFAB, I'm working on an article on the extent to which EPA has fully implemented the requirements of Scott Pruitt's Oct. 31, 2017 directive titled "Strengthening and Improving Membership on EPA Federal Advisory Committees, " to all of the agency's 22 committees. In announcing this directive, Mr. Pruitt singled out three (the SAB, CASAC, and BOSC), but the directive makes clear (and Michael Abboud confirmed at the time) that the directive's requirements apply to all 22. After speaking to numerous members of the EFAB and other committees, however, I've been unable to find any evidence that EPA has sought to substantively implement the directive to any FACs beyond the three mentioned by Mr. Pruitt.

My specific questions at this point are:

- 1) Has EPA implemented the directive's requirements, including the ban on federal advisory committee service by active EPA grant recipients, to any of the other 19 advisory committees and, if so, which ones? Have any members been required to resign from their respective committees because they declined to give up their EPA grants, and if, so how many?
- 2) If EPA has not applied the directive's requirements to any of the 19 committees, why not, given that almost ten months have passed since Mr. Pruitt issued it?

My deadline is 4 p.m. tomorrow; I will need on-the-record, for-attribution responses if they're going to be used.

Thanks,  
Sean

Sean Reilly  
Reporter

E&E News  
202-446-0433 (Desk)  
Ex. 6 Personal Privacy (PP) Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

-----Original Message-----

From: Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
Sent: Thursday, August 16, 2018 7:41 AM  
To: Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
Cc: Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
Subject: EFAB

Sean, I understand you have questions about EFAB and coal ash. Please share along with your firm deadline.

+++++

The program is recommending **Ex. 5 Deliberative Process (DP)** The reporter said she'd accept general information along those lines, as she's on a tight deadline and plans to file her story by the end of the day. OK to send?

## Ex. 5 Deliberative Process (DP)

From: Vyas, Aditi X. -ND [<mailto:Aditi.X.Vyas.-ND@abc.com>]  
Sent: Thursday, August 16, 2018 9:20 AM  
To: Mears, Mary <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>  
Subject: Requesting an interview an expert

Hi Mary,

Hope this email finds you well. My name is Aditi Vyas and I'm a physician on the medical unit for ABC News. We are doing a digital story on a recent study that came out saying DDE (insecticide) is related to autism. (I've attached the study to this email).

I was wondering if you could put me in touch with an expert who might be able to give me some comments regarding pesticides in general?

Thank you so much and I look forward to hearing from you,

Aditi



Aditi Vyas MD, MHA | Resident Physician, Resident ABC NEWS Medical Unit | 47 West 66th Street, 2nd floor | New York, NY 10023 | O. 630-234-2108 | [Aditi.X.Vyas.-ND@abc.com](mailto:Aditi.X.Vyas.-ND@abc.com)

Ex. 6 Personal Privacy (PP)

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I'd direct her to **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

**From:** Mihir Zaveri [<mailto:mihir.zaveri@nytimes.com>]  
**Sent:** Wednesday, August 15, 2018 3:09 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Glyphosate and cereals, oats

Hello -- I'd like to add one more question, so both questions together:

-- Would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?  
-- What do you think about the Environmental Working Group in general? Do they present fair arguments or counterpoints?

Mihir

On Wed, Aug 15, 2018 at 2:39 PM Mihir Zaveri <[mihir.zaveri@nytimes.com](mailto:mihir.zaveri@nytimes.com)> wrote:  
Hi, would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?

On Wed, Aug 15, 2018 at 1:22 PM Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:  
Hullo Mihir,

For attribution to "an EPA Spokesperson," please:

As stated in our [December 2017 announcement](#), EPA's draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency's scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA's human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our [Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential](#).

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Aug 15, 2018, at 11:35 AM, Mihir Zaveri <[mihir.zaveri@nytimes.com](mailto:mihir.zaveri@nytimes.com)> wrote:

Thank you -- appreciate your acknowledgement!

Mihir

On Wed, Aug 15, 2018 at 11:34 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Mihir,

A quick work to acknowledge receipt. We'll be in touch soon.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Mihir Zaveri [<mailto:mihir.zaveri@nytimes.com>]  
**Sent:** Wednesday, August 15, 2018 11:26 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Glyphosate and cereals, oats

Hello, this is Mihir Zaveri, I'm a reporter with The New York Times. I'm working on a story today about this new report from the Environmental Working Group that shows certain levels of the chemical "glyphosate" in cereal, granola, and other food products.

I'm sure you have been over these points before, but the report suggests that glyphosate is linked to cancer, and supports that notion with a WHO agency designation and California state designation as well as the recent settlement in California earlier this month. The report further suggests that the levels of glyphosate that they found could particularly put children at risk.

Hoping to get an answer to some questions:

- It's my understanding that the federal government does not consider glyphosate to be linked to cancer, is this true?
- Are there any risks associated with glyphosate for parents, or general population, to be concerned about?
- Why is there this dissonance between what federal regulators say and what, for example, the state of California says regarding Glyphosate?
- How would EPA respond to the public who might read this EWG report and be scared that their children might not be safe if they eat these foods? Or others?
- The EWG scientists assert that glyphosate applied later in a crop cycle reflects an increased risk compared to that applied earlier in the cycle. Is there any reason to challenge this notion?
- When do the draft risk assessments published in December become final and what more is there to do in that process?

Thank you, I am writing this story today and it will go online later this afternoon.

Thank you,  
Mihir

+++++=

Third Floor, please advise on next steps.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

Begin forwarded message:

**From:** Gregory Meyer <[gregory.meyer@ft.com](mailto:gregory.meyer@ft.com)>  
**Date:** August 15, 2018 at 12:53:23 PM EDT  
**To:** [daguillard.robert@epa.gov](mailto:daguillard.robert@epa.gov)  
**Subject:** Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Dear Mr. Daguiard:

I am a reporter at the Financial Times, writing with a query about the RFS.

The 2019 RVO proposed rulemaking states that EPA evaluated "petitions for exemption from 20 small refineries for the 2016 RFS standards (3 of which were owned by a small refiner) and 29 small refineries for the 2017 RFS standards (8 of which were owned by a small refiner)."

How many exemptions were granted for 2016 and 2017? Industry sources say all of the petitions were granted, and I would like to confirm this with EPA.

My deadline is today.

Thanks and regards,

Gregory Meyer  
Markets reporter  
Financial Times  
Work phone: +1 917 551 5133  
Mobile phone: Ex. 6 Personal Privacy (PP)  
[gregory.meyer@ft.com](mailto:gregory.meyer@ft.com)

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+++++

Now with Rich Yamada's edits. Please advise if this is OK to send.

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Konkus, John

Sent: Tuesday, August 14, 2018 3:55 PM

To: Jones, Enesta <Jones.Enesta@epa.gov>; Block, Molly <block.molly@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Daguiard, Robert <Daguiard.Robert@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>

Subject: RE: Open Inquiries, 8/14/18

Who in ORD approved this response: Response:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Everything else is good to go.

Thank you Enesta!

+++++

Hello again Molly and Bill.

Here are a few specific outstanding questions I wanted to ask based on items that have come up since I spoke with Bill back in April. I am writing them out very specifically with backup documents in a few cases so the questions are clear and easier to respond to.

1) Mr. Wehrum's calendar that we obtained via FOIA includes a Dec. 7 2017 meeting at the DC offices of Hunton, where Mr. Wehrum gave a presentation on the Clean Air Act. **See the attached materials in attachment 1.** The Trump ethics pledge says that a lawyer should not meet with former clients for two years including any "meeting or other communication relating to the performance of one's official duties with a former employer or former client, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties." How does this meeting honor that requirement? This was not a public meeting. And UARG is a former client.

2) Mr. Wehrum, before he was nominated but while his paperwork was being reviewed for the nomination, had a meeting at the EPA in June 2017 on behalf of brick manufacturers association to discuss concerns by the industry with the brick emissions rule. In October 2017, the EPA asked a federal court to "hold all proceedings in abeyance in these consolidated petitions for review" related to this case, as it was going to reconsider this rule. Is Mr. Wehrum working on this matter, in terms of the proposed policy change? And separately, he he participating in the handling of the litigation?

3) Has Mr. Wehrum signed his recusal letter. He explained to me why he had not. I just wanted to see if he has now decided to sign if. If so, I can have a copy of it please.

4) During the review of the NSR Policy memo issued on Dec. 7, 2017, I was told that Mr. Wehrum participated in a Dec. 5 2017 staff meeting (**see attachment 2**, although I know that this listing does not mention what was specifically discussed) where the matter was discussed, and where Susan Bodine among others expressed concerns about the changes, which included not "second guess" emissions projections. I had asked Bill about this general issue. I subsequently was told about this specific meeting on Dec. 5, where the matter was discussed. Why was it ok for Bill to

participate in this meeting. A participant said that a copy of the memo was distributed at the meeting that had certain redactions, removing DTE's name. Is that the explanation. Welcome input.

5) I wanted to ask for Mr. Wehrum to react to criticism from some folks that the change in the "once in, always in" policy could result in a significant increase in release of harmful pollutants. Is this a fair criticism?

6) When the March 13 2018 memo was released clarifying NSR projection evaluations, Mr. Wehrum was quoted in the news release, but he decided not to go to the ceremony where several companies including Marathon and Valero were invited to mark the event. We were told that Mr. Wehrum felt he would work on the policy, as it broadly impacts regulated parties (it is not a particular matter involving specific parties) but he could not attend this event, as former clients were there and it was a private event. Any comment on that. Is that a correct reading of the events here?

7) A memo was sent to the EPA on Nov 3 2017 (**see attachment 3**) that was from a presentation that Bill gave along with Kenneth Weiss related to NSR changes the petro chemical industry wanted to see made. I read the presentation which was based on the memo that is included in this email, and I noted that several of the changes in NSR underway "project netting" and "project aggregation" and also "second guess" issues reflect priorities here. Is this anything that is bad about this correlation? Is Mr. Wehrum, in the policy revisions he has worked on, helping with these changes because it was part of an industry agenda?

8) Finally, I wanted to ask more directly here a point that emerges from these questions: Some outsiders look at the actions the EPA has taken since Mr. Wehrum was confirmed and say that Mr. Wehrum is working to benefit the interests of his former clients. What is your reaction to that assertion? Why is that a misreading of his efforts?

Thanks again for your help. Happy to clarify any of these questions.

I need a response by Noon Friday.

ERIC

Eric Lipton  
**The New York Times**  
Washington Bureau  
202.862.0448, office  
Ex. 6 Personal Privacy (PP) mobile  
[lipton@nytimes.com](mailto:lipton@nytimes.com)

++++++

Hi,

I also left a voicemail in the general voicemail box. I am writing about an audit (link below) released this morning by the EPA inspector general regarding missed payment deadlines and missed discount period deadlines. Can I get a response from EPA about those findings? There is no written response to the findings in the report. My deadline is 4 pm today. Thank you.

<https://www.epa.gov/sites/production/files/2018-08/documents/epaig-20180816-18-p-0231.pdf>

Paul Muschick, columnist  
The Morning Call  
101 N. Sixth St., Allentown, PA 18101  
phone and fax 610-820-6582 | cell: Ex. 6 Personal Privacy (PP)  
[paul.muschick@mcall.com](mailto:paul.muschick@mcall.com)

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Facebook: PaulMuschickColumns

Twitter: @mcwatchdog



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Message

**From:** Woods, Andrea [Woods.Andrea@epa.gov]  
**Sent:** 9/18/2019 10:30:17 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** RE: Walden, Rodgers, and Shimkus Statement on Administration's Fuel Economy Rule

Do we have a specific name from auto alliance for attribution?

**From:** Block, Molly <block.molly@epa.gov>  
**Sent:** Wednesday, September 18, 2019 6:20 PM  
**To:** Woods, Andrea <Woods.Andrea@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>  
**Subject:** RE: Walden, Rodgers, and Shimkus Statement on Administration's Fuel Economy Rule

Cool! Here are two more:

Statement from ATR:

<https://www.atr.org/major-win-consumers-trump-revokes-california-s-waiver-auto-emissions-standards>

"Today's decision by President Trump is a major win for consumers and the US economy. Letting California dictate emission standards for the 49 other states is a proven disaster for jobs, vehicle safety and affordability.

No one living in Ohio, Michigan or Florida voted for California's nanny state politicians. Gavin Newsom's bureaucrats have no business telling them what car they can or can't drive. That decisions rightly belongs to consumers. Americans for Tax Reform applauds President Trump for revoking California's waiver and freeing consumers from Californian bureaucrats." - Grover Norquist, President of Americans for Tax Reform

Auto Alliance: "Automakers support year-over-year increases in fuel economy standards that align with marketplace realities, and we support one national program as the best path to preserve good auto jobs, keep new vehicles affordable for more Americans and avoid a marketplace with different standards. We will review this action today along with the yet to-be-released final CAFE/GHG rule to get the full picture of how this impacts automakers, our workers and our customers."

## Ex. 5 Deliberative Process (DP)

**From:** Woods, Andrea  
**Sent:** Wednesday, September 18, 2019 6:13 PM  
**To:** Block, Molly <block.molly@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** RE: Walden, Rodgers, and Shimkus Statement on Administration's Fuel Economy Rule

I can



**From:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Sent:** Wednesday, September 18, 2019 6:07 PM

**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Beach, Christopher <[beach.christopher@epa.gov](mailto:beach.christopher@epa.gov)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>; Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>; Woods, Andrea <[Woods.Andrea@epa.gov](mailto:Woods.Andrea@epa.gov)>

**Subject:** FW: Walden, Rodgers, and Shimkus Statement on Administration's Fuel Economy Rule

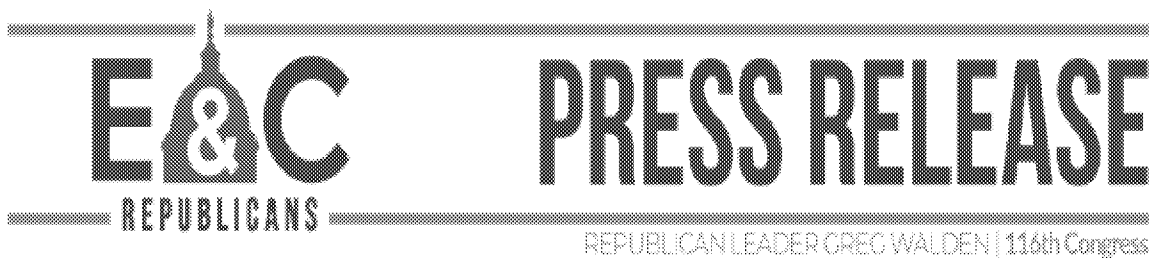
For the WTAS. Who's compiling this?

**From:** Energy & Commerce Republicans <[energycommercegopnews@ecrep.housecommunications.gov](mailto:energycommercegopnews@ecrep.housecommunications.gov)>

**Sent:** Wednesday, September 18, 2019 4:24 PM

**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** Walden, Rodgers, and Shimkus Statement on Administration's Fuel Economy Rule



FOR IMMEDIATE RELEASE  
September 18, 2019

CONTACT: Press Office  
(202) 226-4972

## Walden, Rodgers, and Shimkus Statement on Administration's Fuel Economy Rule

WASHINGTON, DC – Energy and Commerce Committee Republican Leader Greg Walden (R-OR), Consumer Protection and Commerce Subcommittee Republican Leader Cathy McMorris Rodgers (R-WA), and Subcommittee on Environment and Climate Change Republican Leader John Shimkus (R-IL) released the following statement in anticipation of the Administration's fuel economy announcement:

*"For too long, California's policies have forced consumers across the country to pay more for vehicles. The Administration's move to establish uniform standards for fuel economy is the right decision. This decision reasserts the rule of law and puts consumers first. A national framework for fuel economy provides the certainty needed to help drive down vehicle costs and get more Americans in newer, safer vehicles. While we await the rest of the SAFE Vehicles Rule, this announcement is a step in the right direction," said Walden, Rodgers, and Shimkus.*

###

[PERMALINK](#)



House Energy & Commerce Committee Republicans | 2322 Rayburn HOB, Washington, DC 20003

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Message

**From:** Dennis, Allison [Dennis.Allison@epa.gov]  
**Sent:** 8/1/2018 2:07:38 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Shimmin, Kaitlyn [shimmin.kaitlyn@epa.gov]; Rodrick, Christian [rodrick.christian@epa.gov]; Konkus, John [konkus.john@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]; Zito, Kelly [ZITO.KELLY@EPA.GOV]; Hannon, Arnita [Hannon.Arnita@epa.gov]; Cook-Shyovitz, Becky [Cook-Shyovitz.Becky@epa.gov]; Bowles, Jack [Bowles.Jack@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Klasen, Matthew [Klasen.Matthew@epa.gov]; Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Borum, Denis [Borum.Denis@epa.gov]; Mogharabi, Nahal [MOGHARABI.NAHAL@EPA.GOV]; Orquina, Jessica [Orquina.Jessica@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov]; Coviello, Nancy [Coviello.Nancy@epa.gov]; Wade, James [Wade.James@epa.gov]; Barkett, Bonnie [Barkett.Bonnie@epa.gov]; Lieberman, Paige [Lieberman.Paige@epa.gov]  
**Subject:** RE: 8/1 OCWD WIFIA Event & Announcement Materials: UPDATE  
**Attachments:** OCWD WIFIA PR\_FINAL.DOCX

Attached is the final release for today's announcement. Thanks everyone for your help with making today's event and announcement happen! -Allison

---

**From:** Block, Molly  
**Sent:** Wednesday, August 01, 2018 9:49 AM  
**To:** Dennis, Allison <Dennis.Allison@epa.gov>  
**Cc:** Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Rodrick, Christian <rodrick.christian@epa.gov>; Konkus, John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Zito, Kelly <ZITO.KELLY@EPA.GOV>; Hannon, Arnita <Hannon.Arnita@epa.gov>; Cook-Shyovitz, Becky <Cook-Shyovitz.Becky@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Klasen, Matthew <Klasen.Matthew@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>; Mogharabi, Nahal <MOGHARABI.NAHAL@EPA.GOV>; Orquina, Jessica <Orquina.Jessica@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Wade, James <Wade.James@epa.gov>; Morin, Jeff <Morin.Jeff@epa.gov>; Barkett, Bonnie <Barkett.Bonnie@epa.gov>  
**Subject:** Re: 8/1 OCWD WIFIA Event & Announcement Materials: UPDATE

Take out the apostrophe in the title for Dave. Should be EPA office of water...

For the congressman's quote let's to do this for attribution: Ex. 5 Deliberative Process (DP) may have gotten the spelling or district wrong but that's how it should look.

I'm at the senate hearing rn but those were just a few things that popped out. Otherwise she's fine to go.

And there's an unnecessary comma in the second paragraph between EPA pacific southwest regional administrator and mike Stoker.

Sent from my iPhone

On Jul 31, 2018, at 7:37 PM, Dennis, Allison <Dennis.Allison@epa.gov> wrote:

Attached is the revised release that now includes the following Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

---

**From:** Dennis, Allison  
**Sent:** Tuesday, July 31, 2018 3:22 PM  
**To:** Shimmin, Kaitlyn; Rodrick, Christian  
**Cc:** Konkus, John; Grantham, Nancy; Block, Molly; Hewitt, James; Ringel, Aaron; Zito, Kelly; Hannon, Arnita; Cook-Shyovitz, Becky; Bowles, Jack; Drinkard, Andrea; Klasen, Matthew; Kaiser, Sven-Erik; Richardson, RobinH; Borum, Denis; Mogharabi, Nahal; Orquina, Jessica; Lynn, Tricia; Wade, James; Morin, Jeff; Barkett, Bonnie  
**Subject:** RE: 8/1 OCWD WIFIA Event & Announcement Materials: UPDATE

Attached is an updated RSVP list for tomorrow's event though OWCD expects several more RSVPs to roll in throughout the day. One update to the event itself: **Ex. 5 Deliberative Process (DP)** just confirmed his attendance a few minutes ago. He will speak right after **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)** **If so,**  
**OWCD can do the reach out.**

Outstanding items:

Social media- we need OPA's green light on the social media posted below.

Press Release- We are still waiting on the requested quote from **Ex. 5 Deliberative Process (DP)** office, which his office said will come later today. Attached is the latest version of the PR which we would like issued by R9 at 2:30 pm eastern tomorrow w/DC amplification. **Any way we can get the PR finalized tonight so that Nahal can print copies of it to bring to tomorrow morning's event?**

Infographics- let us know if you have any edits to the attached.

EPA Homepage – Jessica- any way we can get an another homepage banner up this week or next to mark this loan?

---

**From:** Dennis, Allison  
**Sent:** Monday, July 30, 2018 4:26 PM  
**To:** Shimmin, Kaitlyn <[shimmin.kaitlyn@epa.gov](mailto:shimmin.kaitlyn@epa.gov)>; Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>  
**Cc:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>;

Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Zito, Kelly <[ZITO.KELLY@EPA.GOV](mailto:ZITO.KELLY@EPA.GOV)>; Hannon, Arnita <[Hannon.Arnita@epa.gov](mailto:Hannon.Arnita@epa.gov)>; Cook-Shyovitz, Becky <[Cook-Shyovitz.Becky@epa.gov](mailto:Cook-Shyovitz.Becky@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Klasen, Matthew <[Klasen.Matthew@epa.gov](mailto:Klasen.Matthew@epa.gov)>; Kaiser, Sven-Erik <[Kaiser.Sven-Erik@epa.gov](mailto:Kaiser.Sven-Erik@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Borum, Denis <[Borum.Denis@epa.gov](mailto:Borum.Denis@epa.gov)>; Mogharabi, Nahal <[MOGHARABI.NAHAL@EPA.GOV](mailto:MOGHARABI.NAHAL@EPA.GOV)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>; Orquina, Jessica <[Orquina.Jessica@epa.gov](mailto:Orquina.Jessica@epa.gov)>; Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>; Wade, James <[Wade.James@epa.gov](mailto:Wade.James@epa.gov)>

**Subject:** RE: 8/1 OCWD WIFIA Event & Announcement Materials

Hi Kaitlyn,

Nahal Mogharabi of R9 public affairs (cc'ed) is on point for this event and she is planning to be on site early to ensure everything is set up correctly. We will provide an updated list of attendees tomorrow. We don't expect any changes to the planned speaker list. See the latest media advisory and run of show attached.

A few questions and notes to OCIR and OPA:

**Congressional notifications:** I attached our proposed plan for notifications that are set to take place tomorrow afternoon.

**Quotes for EPA PR:** OWCD will reach out to **Ex. 5 Deliberative Process (DP)** to invite them to submit a quote for our press release; We are planning to provide a quote from Dave Ross that references the fact that **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

**Advisory and Release timing-** Is it ok if R9 issues the attached media advisory tomorrow (tues) at 1 pm eastern (10 am pt) and the press release on Wednesday at 2:30 pm eastern (11:30 am pt). We will share a revised press release for final review tomorrow, once we have the event details firmed up.

**Social Media** – pasted below is draft social media for OPA approval

**Infographics-** attached are the final infographics for OPA approval

**EPA Homepage** – Jessica- any way we can get an another homepage banner up this week or next to mark this loan?

**Orange County Social Media**

EPA mainFB:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

EPA Main Twitter:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

EPAAwater Twitter:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

EPAAwater FB:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

EPA R9 FB:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

EPA R9 Twitter:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

---

**From:** Shimmin, Kaitlyn

**Sent:** Monday, July 30, 2018 12:00 PM

**To:** Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>; Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>

**Cc:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>;

Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Ringel, Aaron

<[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Zito, Kelly <[ZITO.KELLY@EPA.GOV](mailto:ZITO.KELLY@EPA.GOV)>; Hannon, Arnita

<[Hannon.Arnita@epa.gov](mailto:Hannon.Arnita@epa.gov)>; Cook-Shyovitz, Becky <[Cook-Shyovitz.Becky@epa.gov](mailto:Cook-Shyovitz.Becky@epa.gov)>; Bowles,

Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Klasen, Matthew

<[Klasen.Matthew@epa.gov](mailto:Klasen.Matthew@epa.gov)>; Kaiser, Sven-Erik <[Kaiser.Sven-Erik@epa.gov](mailto:Kaiser.Sven-Erik@epa.gov)>; Richardson,

RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Borum, Denis <[Borum.Denis@epa.gov](mailto:Borum.Denis@epa.gov)>; Mogharabi,

Nahal <[MOGHARABI.NAHAL@EPA.GOV](mailto:MOGHARABI.NAHAL@EPA.GOV)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>

**Subject:** RE: 8/1 OCWD WIFIA Event & Announcement Materials

Do we have an updated list of attendees? And will R9 be doing a walk through before the event?

Thanks!

**Kaitlyn Shimmin**

*White House Liaison*

U.S. Environmental Protection Agency

1200 Pennsylvania Ave., N.W.

Washington, D.C. 20460

O: (202) 564-4108<[Outlook-tnfclzqx.png](#)>

C: Ex. 6 Personal Privacy (PP) <[Outlook-hi4i5cpr.png](#)>

[Shimmin.Kaitlyn@epa.gov](mailto:Shimmin.Kaitlyn@epa.gov)

---

**From:** Rodrick, Christian

**Sent:** Wednesday, July 25, 2018 11:05 AM

**To:** Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>

**Cc:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Shimmin, Kaitlyn <[shimmin.kaitlyn@epa.gov](mailto:shimmin.kaitlyn@epa.gov)>; Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Zito, Kelly <[ZITO.KELLY@EPA.GOV](mailto:ZITO.KELLY@EPA.GOV)>; Hannon, Arnita <[Hannon.Arnita@epa.gov](mailto:Hannon.Arnita@epa.gov)>; Cook-Shyovitz, Becky <[Cook-Shyovitz.Bekky@epa.gov](mailto:Cook-Shyovitz.Bekky@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Klasen, Matthew <[Klasen.Matthew@epa.gov](mailto:Klasen.Matthew@epa.gov)>; Kaiser, Sven-Erik <[Kaiser.Sven-Erik@epa.gov](mailto:Kaiser.Sven-Erik@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Borum, Denis <[Borum.Denis@epa.gov](mailto:Borum.Denis@epa.gov)>; Mogharabi, Nahal <[MOGHARABI.NAHAL@EPA.GOV](mailto:MOGHARABI.NAHAL@EPA.GOV)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>

**Subject:** RE: 8/1 OCWD WIFIA Event & Announcement Materials

Allison, if you're free I am around my desk now and we can chat, or we can chat later. Just let me know what works. I am happy to have us send the invites here from HQ, or have the region or OWCD. I just want to make sure we are at least Cc'd on any invites that go in writing to the hill.

Re. Speaking, if timing allows it I think it makes sense to give them the opportunity to speak. I suspect not all of them will be able to attend/want to. But better to offer if we can.

*Christian Rodrick*

*Special Assistant*

*Congressional Affairs U.S. EPA*

*O: (202) 564-4828<Outlook-ta1l1d5o.png>*

---

**From:** Dennis, Allison  
**Sent:** Wednesday, July 25, 2018 11:01 AM  
**To:** Rodrick, Christian <rodrick.christian@epa.gov>  
**Cc:** Konkus, John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Block, Molly <block.molly@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Zito, Kelly <ZITO.KELLY@EPA.GOV>; Hannon, Arnita <Hannon.Arnita@epa.gov>; Cook-Shyovitz, Becky <Cook-Shyovitz.Becky@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Klasen, Matthew <Klasen.Matthew@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>; Mogharabi, Nahal <MOGHARABI.NAHAL@EPA.GOV>; Lyons, Troy <lyons.troy@epa.gov>; Palich, Christian <palich.christian@epa.gov>  
**Subject:** Re: 8/1 OCWD WIFIA Event & Announcement Materials

Hi Christian,

Thank you for the quick and helpful feedback. Yep, we have Ex. 5 Deliberative Process (DP) on our invitee list and we will Ex. 5 Deliberative Process (DP) to that invitee list too.



Yes, OWCD got a little ahead of us and did all of the reach out to invited speakers so far.

RE: **Ex. 5 Deliberative Process (DP)** are you interested in having any of them speak at the event or receive a special call to invite them to event? If so, do you have a preference for who does the reach out?

Are you comfortable with OWCD/R9 issuing the invitation text out to the invitee list today?  
Happy to give you a call to talk this through too! -Allison

---

**From:** Rodrick, Christian  
**Sent:** Wednesday, July 25, 2018 10:46 AM  
**To:** Dennis, Allison  
**Cc:** Konkus, John; Grantham, Nancy; Block, Molly; Hewitt, James; Shimmin, Kaitlyn; Ringel, Aaron; Zito, Kelly; Hannon, Arnita; Cook-Shyovitz, Becky; Bowles, Jack; Drinkard, Andrea; Klasen, Matthew; Kaiser, Sven-Erik; Richardson, RobinH; Borum, Denis; Mogharabi, Nahal; Lyons, Troy; Palich, Christian  
**Subject:** Re: 8/1 OCWD WIFIA Event & Announcement Materials

Hey Allison,

Thanks for this. Definitely think it makes to have **Ex. 5 Deliberative Process (DP)**  
Additionally **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Who has done the invites so far? We are happy to do invites here at HQ, or have the region do them. HQ would just liked to be looped in. Happy to speak directly if that's helpful.

Thanks,

Christian Rodrick

Sent from my iPhone

On Jul 25, 2018, at 10:43 AM, Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)> wrote:

Attached for your review is this announcement's:

- rollout plan
- 8/1 R9 press release
- 7/31 R9 media advisory
- event run of show
- invitation text (with your approval, we would like to issue this **today** to the attached invitee list (excel chart)
- updated project fact sheet

These materials reflect initial input from OCIR and have been approved by borrower and R9. Edits welcome. I am sharing these materials with Lee for review tonight. Social Media and infographics will come later today.

A few outstanding questions/notes:

**Event Speakers and Invitee List:** OWCD reached out to the following to speak at the event:

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## Ex. 5 Deliberative Process (DP)

Do you want to invite anyone else to speak at this event? If so, who do you prefer does the reach out (OWCD, R9, etc?) Also, is there anyone else we should on our invitation list-- perhaps **Ex. 5 Deliberative Process (DP)**?

**Quotes for the Press Release:** We think it makes sense to invite **Ex. 5 Deliberative Process (DP)** **Ex. 5 Deliberative Process (DP)** if you agree, OWCD has offered to do the reach out for the quote since they already in communications with his office. does this work for you? Is there anyone else you would like to invite to submit a quote?

**OCIR congressional notifications:** We are very interested in hearing your preference on who gets a call/who's doing the call/timing of the call. See our rollout plan for suggested timing. R9 and Sven's team stands ready to help!

Thanks! -Allison

<OC WIFIA Rollout\_071018.docx>

<OCWD WIFIA PR\_072318.docx>

<OCWD\_WIFIAProjectFactsheet\_LoanCloseV3.docx>

<Media Advisory OCWD WIFIA Event DRAFT 7 25 18.docx>

<OCWD WIFIA Event Invitaion DRAFT 7 25 18.docx>

<WIFIA Loan Announcement Invite List.xlsx>

<OCWD WIFIA PR\_073118.docx>

Message

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**From:** Tamara Ward [tward@somdnews.com]  
**Sent:** 9/17/2019 10:11:11 PM  
**To:** Hackel, Angela [Hackel.Angela@epa.gov]  
**CC:** White, Terri-A [White.Terri-A@epa.gov]; Press [Press@epa.gov]  
**Subject:** Re: The Calvert Recorder - Request for Interview

Thanks!

On 9/17/19 5:44 PM, Hackel, Angela wrote:

Hi Tamara,

Please attribute the responses to Andrea Woods.

Thanks,

Angela

---

**From:** Tamara Ward <tward@somdnews.com>  
**Sent:** Tuesday, September 17, 2019 5:36 PM  
**To:** Hackel, Angela <Hackel.Angela@epa.gov>  
**Cc:** White, Terri-A <White.Terri-A@epa.gov>; Press <Press@epa.gov>  
**Subject:** Re: The Calvert Recorder - Request for Interview

Thanks so much. Our paper policy is to have a name for attribution. Well I attribute the responses to you?

Sent from my iPhone

On Sep 17, 2019, at 4:42 PM, Hackel, Angela <Hackel.Angela@epa.gov> wrote:

Hi Tamara,

Please see our response to your inquiry below.

**Attributable to an EPA Spokesperson**

**1. How are the recent changes to the Clean Water Act under the current administration lessening water pollution and improving water quality, if at all?**

Water quality will not be harmed as EPA and the Army repeal the unlawful Obama Administration WOTUS rule and restore longstanding and familiar Clean Water Act regulations. The final Step 1 rule will end the regulatory patchwork that included implementing two competing Clean Water Act regulations, which created uncertainty across the United States. The agencies have finalized a rule that repeals the 2015 rule defining “waters of the United States” and reinstating the pre-existing regulatory definition that will be administered consistent with Supreme Court decisions, agency guidance documents, and longstanding practice. These pre-2015 Rule regulations are currently being implemented in 27 states.

**2. Do the recent changes to the Clean Water Act revert the regulations to the level of protections established in the 1970s?**

This final rule recodifies the regulatory text defining “waters of the United States” that existed prior to the 2015 Rule, last finalized in the mid-1980s. The agencies will implement the pre-2015 regulations informed by applicable agency guidance documents and consistent with Supreme Court decisions and longstanding agency practice.

**3. Does the recent changes to the Clean Water remove all the regulatory changes implemented in 2015 under the Obama Administration?**

The final rule repeals the 2015 Rule in its entirety and restores the regulatory text that existed prior to the 2015 Rule. The agencies will implement the pre-2015 Rule regulations informed by applicable agency guidance documents and consistent with Supreme Court decisions and longstanding agency practice. As stated above, the 2015 Rule, which is not about water quality, is not in effect in 27 states.

**4. How do the recent changes to the Clean Water Act impact small streams, wetlands and drinking water supplies?**

Please see the economic analysis for the final rule on EPA’s website for a discussion of the potential changes in CWA jurisdiction.

EPA notes that there is no existing map of jurisdictional water under the CWA under any regulatory definition of “waters of the United States”; therefore, any quantitative estimate of a change of stream miles is fraught with uncertainty. The agencies note that in the economic analysis for the final rule, the agencies are taking into consideration existing state programs regulating waters that would no longer be jurisdictional under the 2015 Rule to better reflect the important roles that states play in managing their water resources.

**5. Are provisions regulating pesticides and nutrient run-off from agriculture removed or lessened?**

No.

Thanks,

Angela

---

**From:** Tamara Ward <[tward@somdnews.com](mailto:tward@somdnews.com)>

**Sent:** Tuesday, September 17, 2019 11:42 AM

**To:** Hackel, Angela <[Hackel.Angela@epa.gov](mailto:Hackel.Angela@epa.gov)>; White, Terri-A <[White.Terri-A@epa.gov](mailto:White.Terri-A@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Re: Fwd: The Calvert Recorder - Request for Interview

Just checking in. Any progress with my request?

On 9/16/19 11:09 AM, Tamara Ward wrote:

Thank you!

On 9/16/19 11:08 AM, Hackel, Angela wrote:

Hi Tamara,

Thanks for sending these questions. I will get back to you as soon as I can.

Thanks,

Angela

---

**From:** Tamara Ward <[tward@somdnews.com](mailto:tward@somdnews.com)>  
**Sent:** Monday, September 16, 2019 11:04 AM  
**To:** Hackel, Angela <[Hackel.Angela@epa.gov](mailto:Hackel.Angela@epa.gov)>; White, Terri-A <[White.Terri-A@epa.gov](mailto:White.Terri-A@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Fwd: The Calvert Recorder - Request for Interview

Thanks for responding.

I am a reporter for Southern Maryland Newspapers. Our region is home to the Chesapeake Bay and the Patuxent River. In the Southern Maryland region we have a nuclear plant, gas plant and coal plant. So, genuinely there is concern about industrial pollution being discharged in the local waters.

How are the recent changes to the Clean Water Act under the current administration lessening water pollution and improving water quality, if at all?

Do the recent changes to the Clean Water Act revert the regulations to the level of protections established in the 1970s?

Does the recent changes to the Clean Water remove all the regulatory changes implemented in 2015 under the Obama Administration?

How do the recent changes to the Clean Water Act impact small streams, wetlands and drinking water supplies?

Are provisions regulating pesticides and nutrient run-off from agriculture removed or lessened?

Any other info you'd like to share?

On 9/16/19 9:54 AM, Hackel, Angela wrote:

Hi Tamara,

I can help you with your request. Can you please send me your specific questions and deadline?

Thanks,

Angela

Angela Hackel  
Senior Advisor  
Office of Public Affairs  
Office of the Administrator  
U.S. Environmental Protection Agency  
Washington, DC 20460  
Office: 202.566.2977  
Cell: Ex. 6 Personal Privacy (PP)

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**From:** Tamara Ward  
<[tward@somdnews.com](mailto:tward@somdnews.com)>  
**Sent:** Monday, September 16, 2019  
9:49 AM  
**To:** White, Terri-A <[White.Terri-A@epa.gov](mailto:White.Terri-A@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Fwd: The Calvert Recorder  
- Request for Interview

Thank you. My deadline is tomorrow  
4 p.m.

Tamara

On 9/16/19 9:47 AM, White, Terri-A  
wrote:

Good morning,  
Tamara

I'm referring  
your request for  
an interview to  
EPA's national  
press office  
(copied) Someone  
there will get  
back to you.

Thanks.

Terri White  
EPA Region 3

Office of Public  
Affairs

Sent from my  
iPhone

Begin forwarded  
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From:  
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AM

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<tward  
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.com>

Cc:  
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Roy

<Seneca.Roy  
@epa.gov>

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-- **Tamara Ward Staff Writer The  
Calvert Recorder**

<http://www.somdnews.com/recorder/>  
240-801-2240

-- **Tamara Ward Staff Writer The Calvert Recorder**  
<http://www.somdnews.com/recorder/> 240-801-2240

-- **Tamara Ward Staff Writer The Calvert Recorder**  
<http://www.somdnews.com/recorder/> 240-801-2240

-- **Tamara Ward Staff Writer The Calvert Recorder**  
<http://www.somdnews.com/recorder/> 240-801-2240

-- **Tamara Ward Staff Writer The Calvert Recorder** <http://www.somdnews.com/recorder/> 240-801-2240

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 11/14/2018 5:16:44 PM  
**To:** Johnson, Wesley [wesjohnson@springfi.gannett.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: TCE issue in Springfield, Mo.

Good afternoon (morning to you), Wes,

On background – i.e., for attribution to U.S. EPA,” please:

For TCE, the Agency has stated that we are moving forward on a risk evaluation, and that that evaluation will include the uses that were in the proposed rule. Conducting these evaluations does not preclude EPA from finalizing the proposed regulation if through its evaluation EPA determines that any of the conditions of use present unreasonable risk. EPA has concluded that the Agency’s assessment of the potential risks will be more robust if these conditions of use are evaluated by applying standards and guidance under amended TSCA. In particular, this includes ensuring the evaluation is consistent with the scientific standards in Section 26 of TSCA (including systematic review approaches).

This approach was stated in the Problem Formulation document for this chemical that EPA made available in June 2018.

EPA’s national primary drinking water regulation for TCE can be found here:

<https://www.epa.gov/ground-water-and-drinking-water/national-primary-drinking-water-regulations>

There are no national ambient air standards for air toxics such as TCE. Instead, the Clean Air Act requires EPA to regulate emissions of 187 toxic air pollutants (including TCE) and to take steps to reduce pollution by requiring sources to install controls or change production processes.

For more air-related information, you may want to contact the Occupational Safety and Health Administration (OSHA).

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Johnson, Wesley <wesjohnson@springfi.gannett.com>  
**Sent:** Tuesday, November 13, 2018 3:07 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** TCE issue in Springfield, Mo.

Hello Robert,

We have a long-running TCE contamination issue from a now-closed Litton Industries plant in Springfield, Mo. I'm trying to find out two things:

Does EPA have a maximum parts per million exposure limit for human contact with TCE, either in groundwater or air?

I believe I read that EPA has proposed banning the use of TCE (January 2017). Did that ban ever go into effect?

Here's a fact-sheet link from our Missouri Department of Natural Resources about the TCE problem and attempts to remedy it: <https://dnr.mo.gov/env/hwp/sfund/docs/litton-factsheet.pdf>.

Thanks for any help you can provide. My deadline to publish is mid morning tomorrow.

Wes Johnson reporter Springfield News-Leader 417-836-1243

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 9/17/2019 3:48:39 PM  
**To:** Sharon Lerner [sharon.lerner@theintercept.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** SHARON: Your questions on the PFAS inventory

Good morning Sharon,

We apologize profusely for getting back to you so late. Andrea Drinkard is in meetings most, if not all, of the day, so she's asked me to forward you the following responses. We also have your follow-up question, which we hope to answer very soon.

Thanks again for your patience and understanding. Let us know if you can update your story.

For attribution to "an EPA Spokesperson," please:

What does it mean for a chemical to be labeled as "ACTIVE" on the inventory? i.e. what are the criteria for an "ACTIVE" designation?

- A. TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act, requires EPA to designate chemical substances on the TSCA Chemical Substance Inventory ("Inventory") as either "active" or "inactive" in U.S. commerce. EPA finalized a rule requiring industry reporting of chemical manufactured (including imported) or processed in the U.S. over a 10-year period ending on June 21, 2016. This reporting was completed on October 5, 2018 and was used to identify which chemical substances on the TSCA Inventory are active in U.S. commerce. [Learn more about the TSCA Inventory Notification rule.](#)**

Has EPA ever denied approval of a PFAS PMN? If so, on how many occasions?

- A. EPA does not "deny approval" of PMNs. EPA must make one of five determinations following review of a PMN to determine if the chemical substance presents unreasonable risks to health or the environment. If EPA determines that the available information in a PMN is insufficient to allow the Agency to make a reasoned evaluation of the health and environmental effects of the new chemical substance or significant new use; or in the absence of sufficient information to permit the Administrator to make such an evaluation, the manufacture, processing, distribution in commerce, use, or disposal of such substance may present an unreasonable risk to health or the environment; or such substance is or will be produced in substantial quantities, and such substance either enters or may be reasonably anticipated to enter the environment or there is or may be substantial human exposure, [EPA must issue an order under section 5\(e\)](#). If EPA determines that the substance will present unreasonable risk, [EPA must issue an order under section 5\(f\)](#). EPA typically regulates PFAS substances submitted as PMNs which may present unreasonable risks with an order under section 5(e).**

A section 5(e) order may prohibit or limit the manufacture (including import), processing, distribution in commerce, use, or disposal to the extent necessary to protect against an unreasonable risk, and may include testing requirements. A section 5(e) order typically contains some or all of the following requirements as conditions:

- Testing for toxicity or environmental fate once a certain production volume or time period is reached
- Use of worker personal protective equipment

- New Chemical Exposure Limits (NCELs) for worker protection
- **Hazard communication language**
- **Distribution and use restrictions**
- **Restrictions on releases to water, air and/or land, and**
- **Recordkeeping.**

Since 2006, when the PFOA Stewardship Initiative began, until early February 2019, EPA placed restrictions on 142 new PFAS chemical substances received as PMNs through the issuance of section 5(e) orders.

During that same time period, there have been 44 occasions where a PMN submitter decided to withdraw their PMN for a PFAS substance.

In addition to PMNs, EPA also receives Low Volume Exemption Applications (LVEs) for TSCA new chemical substances. For exemption applications, EPA decides whether to grant or deny the exemption application. Since 2006, when the PFOA Stewardship Initiative began, until early February 2019, EPA denied 49 LVEs for PFAS substances. Two other LVEs were withdrawn by the submitter during this time period.

Has EPA looked for water contamination from any of these specific PFAS compounds that I will mention in the article, which I'll list below by their CAS numbers?

647-42-7

67584-55-8

34454-97-2

375-72-4

65545-80-4

One attorney I spoke to for the story was critical of EPA's handling of the chemicals. In particular, she called the EPA's approach to PFAS "an unmitigated disaster." She also said that "EPA has done nothing to stem the tide of these chemicals into commerce, the environment and human bodies." and that EPA could have used its authority "in a meaningful way but instead it has taken tiny baby steps that have really not been protective."

Would EPA like to comment?

**A. Please see the previous answer.**

If a company that makes a chemical submits testing as required by EPA in a consent order, are the results of those tests required to be publicly available? If so, might I find them through Chemview? If they're not available through Chemview, is there another way to find them?

**A. Section 5 orders, including orders for PFAS chemicals, can be found by searching EPA's ChemView database. In some cases, EPA has not received testing because the production volume triggering the testing was not met. EPA has not yet made test data submitted pursuant to section 5 orders available in ChemView. ChemView currently houses Section 5 test data that was received within a new PMN submission that was received after 5/31/19. Sanitized versions—a version of the document that removes Confidential Business Information (CBI)—of tests submitted pursuant to orders can be obtained by filing a Freedom of Information Act (FOIA) request.**

Cheers, R.

Robert Daguillard  
Communications Officer (Detail)

Office of Chemical Safety  
and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)



Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 7/20/2018 11:15:51 PM  
**To:** David Reynolds [dreynolds@iwpnews.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Inquiry from Inside EPA newsletter about public comments

David, also for attribution to an agency spokesperson, please:

“EPA plans to prepare a summary of the comments received, both written and verbal, and that summary will be emailed directly to all meeting participants and will also be posted online at <https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production>. ”

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Jul 17, 2018, at 3:46 PM, David Reynolds <[dreynolds@iwpnews.com](mailto:dreynolds@iwpnews.com)> wrote:

Hello:

I would like to ask if there is a public docket for comments submitted on EPA's draft audit policy for new owners of oil and gas facilities.

EPA took comment on the draft policy through July 2.  
<https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production>

If there is no public docket, is it possible for EPA to provide a copy of the comments received? If not, could you provide a brief explanation why comments on this draft policy are not publicly available when comments on most other draft EPA rules and guidance documents are made available through [regulations.gov](https://www.regulations.gov)?

I would appreciate any assistance you can provide.

Sincerely,  
Dave  
*Inside EPA* newsletter  
703-416-8541

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 7/20/2018 11:14:02 PM  
**To:** David Reynolds [dreynolds@iwpnews.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Inquiry from Inside EPA newsletter RMP rule and enforcement

Hullo David,

For attribution to “an EPA Spokesperson,” please:

Based on the specific factual circumstances of MFA’s compliance history, EPA determined that as part of the settlement agreement it was appropriate that a third party verify the company’s compliance.

EPA addressed the reasonability of an enforcement-led approach to third-party audits in lieu of a uniform regulatory standard in the Risk Management Program (RMP) Reconsideration Proposal (Please refer to 83 FR 24850, May 30, 2018). Discussion of the enforcement-led approach to third-party audits is on page 24872 of the proposed rule.

To access the rule, please visit: <https://www.gpo.gov/fdsys/pkg/FR-2018-05-30/pdf/2018-11059.pdf>.”

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Jul 20, 2018, at 1:22 PM, David Reynolds <[dreynolds@iwpnews.com](mailto:dreynolds@iwpnews.com)> wrote:

Hello:

I am working on a story about EPA and the Justice Department's announcement July 2 of a proposed settlement with MFA Incorporated that requires that the company conduct third-party audits and publicize data on future accidents on its website.

See here: <https://www.epa.gov/newsreleases/justice-department-epa-reach-settlement-mfa-incorporated-and-mfa-enterprises>

Environmentalists argue that this enforcement action shows that EPA supports third-party audits and facility disclosure as ways of preventing future accidents and fault the agency's proposal to revise the Obama-era update to the RMP rule as politically motivated.

Additionally, the story cites documents posted to EPA's public docket for the revision rule showing that the federal inter-agency review of the proposed version backed industry commenters' arguments that it is unclear whether third-party audits provide greater benefits than facilities' own audits.

I wanted to ask if EPA could provide any statement on why the agency is imposing third-party audits through an enforcement action while at the same time rolling back a requirement for those protections in a recent rulemaking?

And if it is possible to address the environmentalists' assertion that EPA's backing of third-party audits in enforcement shows that the agency supports those measures for preventing disasters and that the roll back is politically motivated -- that would also be helpful.

We are planning to run the story this afternoon so any response before 5 or 5:30 would be helpful. I'm sorry for the late notice. If a response comes later than that or next week we would update the story.

I would appreciate any assistance you can provide.

Sincerely,  
Dave  
*Inside EPA* newsletter  
703-416-8541

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 7/31/2018 8:04:24 PM  
**To:** Stephen Steed [ssteed@arkansasonline.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: dicamba-arkansas

Stephen, for attribution to "an EPA Spokesperson," please:

Question 1: Does the EPA have an estimate when it will release its decision on re-registering dicamba (Xtendimax, etc.) for in-crop use? (I hear August is the timeline.)

Response 1: We are reviewing the current use restrictions on the labels for dicamba formulations. Our goal is to make a regulatory decision in time for growers to make informed seed purchase decisions for the next planting season.

Question 2: What is the EPA doing as it makes that decision? (Are EPA representatives visiting farmers, regulators, etc. in states currently reporting dicamba damage and fielding complaints?)

Response 2: . EPA is working closely with our regulatory partners in the affected states and the registrants to better understand concerns. EPA representatives are visiting growers in several affected states and gathering input from state and industry agriculture experts and university crop scientists. EPA will use all the available evidence to evaluate whether the new restrictions are minimizing damage to neighboring crops and other sensitive plants.

Question 3: Is the EPA considering damage to non-ag interests (backyard gardens, decorative trees and shrubs) as it considers re-registration?

Response 3: EPA is aware of field reports of off-field and non-target crop damage related to the use of dicamba. We are actively collecting this information from states and EPA regional personnel in order to fully understand the circumstances and scope of the issues. Note that past reports include claims of damage to residential/ornamental gardens, but are mostly to non-dicamba resistant soybean. EPA has some incident reports on peaches, melons, tomatoes, cantaloupe, grapes, pumpkins, alfalfa, non-dicamba-resistant cotton, peanuts, peas, organic crops, and other non-target crops.

Question 4: Is the EPA demanding improvements by dicamba manufacturers to its formulations?

EPA is in the information gathering stage of its decision-making process regarding dicamba registrations. All regulatory options are on the table.

Question 5: Under FIFRA, which requires manufacturers to report to the EPA any "adverse" incidents regarding their products, how many such reports were filed with the EPA by Monsanto, Dow and BASF regarding dicamba's use last season? (The last time I asked about this, you cited a "fluid" situation and declined specifics. I presume last year's problems aren't so fluid now.)

Response 5: You would need to file a Freedom of Information Act request to obtain this information. Many documents submitted for pesticide regulatory purposes contain Confidential Business Information that by law cannot be released to the public. The FOIA process redacts CBI so the documents can be released. For more information or to make a FOIA request, see: <https://www.epa.gov/foia>.

Question 6: Arkansas banned dicamba for in-crop use after April 16 yet has received more than 150 complaints of alleged dicamba damage. Soybean damage has been estimated at 400,000 acres in Arkansas – and 500,000 acres in Illinois, and 100,000 acres in Missouri, two states that allowed in-crop use. What does that tell the EPA about dicamba's future for in-crop use?

Response 6: EPA will consider all available information in its decision-making process. The agency is in regular contact with farmers, researchers, and agricultural companies to remain informed of any dicamba issues occurring in the 2018 growing season.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

-----Original Message-----

From: Stephen Steed [mailto:ssteed@arkansasonline.com]  
Sent: Friday, July 20, 2018 3:39 PM  
To: Daguillard, Robert <Daguillard.Robert@epa.gov>

Subject: Re: dicamba-aprkansas

I have no specific story in mind yet, but it's something that I'll tackle in the next few days. It's time to make another road trip into dicamba country of Arkansas.  
I am free for a call anytime, Robert.

Stephen Steed  
Arkansas Democrat-Gazette  
501-399-3654

> On Jul 20, 2018, at 1:03 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:  
>  
> Good afternoon Stephen,  
>  
> Let me look into this for you. When are you planning to publish your story? We'll work on answers to your questions in coming days, but would you have time for a brief off-the-record chat this afternoon.?  
>  
> Cheers, R.  
>  
> Robert Daguillard  
> Office of Media Relations  
> U.S. Environmental Protection Agency  
> +1 (202) 564-6618 (O)  
> **Ex. 6 Personal Privacy (PP)** (M)  
>  
> -----Original Message-----  
> From: Stephen Steed [mailto:ssteed@arkansasonline.com]  
> Sent: Friday, July 20, 2018 12:44 PM  
> To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>  
> Subject: dicamba-aprkansas  
>  
> Good morning, Robert and Tricia  
>  
> We've corresponded a few times over the last nine months or so regarding dicamba.  
>  
> Does the EPA have an estimate when it will release its decision on re-registering dicamba (Xtendimax, etc.) for in-crop use? (I hear August is the timeline.) What is the EPA doing as it makes that decision? (Are EPA representatives visiting farmers, regulators, etc. in states currently reporting dicamba damage and fielding complaints?) Is the EPA considering damage to non-ag interests (backyard gardens, decorative trees and shrubs) as it considers re-registration?  
> Is the EPA demanding improvements by dicamba manufacturers to its formulations?  
> Under FIFRA, which requires manufacturers to report to the EPA any "adverse" incidents regarding their products, how many such reports were filed with the EPA by Monsanto, Dow and BASF regarding dicamba's use last season? (The last time I asked about this, you cited a "fluid" situation and declined specifics. I presume last year's problems aren't so fluid now.)  
>  
> Arkansas banned dicamba for in-crop use after April 16 yet has received more than 150 complaints of alleged dicamba damage. Soybean damage has been estimated at 400,000 acres in Arkansas – and 500,000 acres in Illinois, and 100,000 acres in Missouri, two states that allowed in-crop use. What does that tell the EPA about dicamba's future for in-crop use?  
>  
> Thanks much.  
>  
>  
> Stephen Steed  
> Arkansas Democrat-Gazette  
> 501-399-3654  
>  
>

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 7/31/2018 4:51:39 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

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**From:** Arcaute, Francisco  
**Sent:** Tuesday, July 31, 2018 4:51:37 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** regionalpress; Kelley, Jeff; Rowan, Anne  
**Subject:** RE: Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

Yes.

Francisco Arcaute  
US EPA R5 press office  
312 886 7613  
Cell [Ex. 6 Personal Privacy (PP)]

---

**From:** regionalpress  
**Sent:** Tuesday, July 31, 2018 11:51 AM  
**To:** Arcaute, Francisco <Arcaute.Francisco@epa.gov>; regionalpress <regionalpress@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>  
**Subject:** RE: Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

Is this the franklin, in site ?

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
[Ex. 6 Personal Privacy (PP)] **(mobile)**

---

**From:** Arcaute, Francisco  
**Sent:** Tuesday, July 31, 2018 11:22 AM  
**To:** regionalpress <regionalpress@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>  
**Subject:** Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

Sarah Bowman  
Indianapolis Star  
(m) [Ex. 6 Personal Privacy (PP)]

(o) 317-444-6129

Sarah.Bowman@indystar.com

Francisco Arcaute

US EPA R5 press office

312 886 7613

Cell [Ex. 6 Personal Privacy (PP)]

**From:** scarignan@bloombergenvironment.com [scarignan@bloombergenvironment.com]  
**Sent:** 7/20/2018 7:10:44 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**CC:** Reyes, Brenda [Reyes.Brenda@epa.gov]; Rodriguez, Elias [Rodriguez.Elias@epa.gov]  
**Subject:** RE: Superfund sites and hurricane preparedness

Received; thanks very much, all. I'll be back in touch if I have any questions.

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Friday, July 20, 2018 3:08 PM  
**To:** Carignan, Sylvia <scarignan@bloombergenvironment.com>; Press <Press@epa.gov>  
**Cc:** Reyes, Brenda <Reyes.Brenda@epa.gov>; Rodriguez, Elias <Rodriguez.Elias@epa.gov>  
**Subject:** RE: Superfund sites and hurricane preparedness

Hullo Sylvia,

For attribution to "an EPA spokesperson," please:

**QUESTION 1: Which EPA regions are most engaged in hurricane preparedness efforts this year?**

**RESPONSE 1:** EPA views disaster preparedness as a national priority. All regions, as well as headquarters, are engaged in hurricane and general disaster preparedness planning. However, the eastern, central and southern coastal regions are at the greatest vulnerability of direct impacts.

For additional information on how EPA's role in emergency response and how it's preparing for the 2018 hurricane season, please visit: <https://www.epa.gov/newsreleases/epa-prepares-2018-hurricane-season-building-lessons-learned-sustained-emergency>.

**QUESTION 2: What are those regions doing differently this year to ensure Superfund sites and their managers, owners, PRPs, and communities are prepared for severe weather and potential hazardous waste releases?**

**RESPONSE 2:** In a number of cases, existing treatment systems, such as pump-and-treat systems at several sites treating contaminated groundwater, were forced out of service due to storm damage, which could be repaired relatively quickly but were then out of service for much longer because of area-wide infrastructure damage (primarily damage to the electric grid). EPA has been working at private-party lead sites and the federally-funded sites to identify opportunities for resiliency in these systems that would allow them to be brought back online more quickly after another storm.

Region 4 has assessed the vulnerability of all Superfund remedial sites in the Region relative to potential hurricane impacts (e.g. in flood zones, active remediation in place, etc.). Non-hazardous materials such as Investigation Derived Waste (IDW) are managed so that there are no potential impacts to public health or the environment.

**QUESTION 3: At Superfund sites that were hit by Harvey, Irma, or Maria last year, are repairs or other recovery work still needed at this point?**

**RESPONSE 3:** EPA completed damage assessments at all Superfund sites in Puerto Rico and the U.S. Virgin Islands to determine if the sites were affected by Hurricane Maria and conducted follow-up actions, such as securing site fences and other structural repairs. While there were minor impacts to a small number of Superfund



sites in Puerto Rico, the Agency did not identify any major spills or releases from Superfund sites associated with Hurricane Maria. All hurricane-related response actions and repairs at these sites have been completed.

Based on assessments completed in Region 4, there was no significant damage to Superfund sites resulting from Hurricane Irma. In addition, there is no ongoing hurricane-related repair or other recovery at this time in Region 4.

All follow-up actions and repairs have been completed at sites affected by Hurricane Harvey.

**QUESTION 4: At those specific sites, are additional preparation plans in place for severe weather this year? If so, what are those additional plans?**

**RESPONSE 4:** In Region 2, EPA has approximately 60 personnel on the ground in Puerto Rico and the U.S. Virgin Islands dedicated to hurricane response and recovery. Agency personnel are coordinating with the Regional Emergency Operations Center in Edison, New Jersey on those efforts, as well as ensuring readiness for future storm events, such as the recent preparations and readiness for Hurricane Beryl earlier this month.

There are more generators in place in Puerto Rico today than in the past. These generators could be used to power ground water pump and treat systems at Superfund sites, if needed. Furthermore, EPA staff continue to be on the island maintaining and refueling generators in case they are needed for future responses.

In Region 6, EPA is working with the responsible parties at the US Oil and Recovery site in Pasadena, Texas to fully remove any remaining on-site materials left at the former waste water treatment plant.

**QUESTION 5: I'd also like to know whether the following action was directed by EPA specifically to prepare the site for severe weather (reference to R6 press release: "EPA Directs Additional Repairs for San Jacinto River Waste Pits Superfund Site").**

**RESPONSE 5:** Repairs at the San Jacinto River Waste Pits site were directed as soon as the damage was known; these repairs are underway. The survey of the cap was part of a routine inspection.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** [scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com) [<mailto:scarignan@bloombergenvironment.com>]  
**Sent:** Friday, July 20, 2018 9:28 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Cc:** Reyes, Brenda <[Reyes.Brenda@epa.gov](mailto:Reyes.Brenda@epa.gov)>; Rodriguez, Elias <[Rodriguez.Elias@epa.gov](mailto:Rodriguez.Elias@epa.gov)>  
**Subject:** RE: Superfund sites and hurricane preparedness

Hi all – Has this been received? Please let me know. My deadline is still today at 3.

---

**From:** Carignan, Sylvia  
**Sent:** Thursday, July 19, 2018 10:55 AM  
**To:** 'Press' <[Press@epa.gov](mailto:Press@epa.gov)>

Cc: 'reyes.brenda@epa.gov' <[reyes.brenda@epa.gov](mailto:reyes.brenda@epa.gov)>; 'rodriguez.elias@epa.gov' <[rodriguez.elias@epa.gov](mailto:rodriguez.elias@epa.gov)>

Subject: RE: Superfund sites and hurricane preparedness

I'd also like to know whether the following action was directed by EPA specifically to prepare the site for severe weather:

## **EPA Directs Additional Repairs for San Jacinto River Waste Pits Superfund Site**

Media contact: [R6Press@epa.gov](mailto:R6Press@epa.gov)

DALLAS – (June 29, 2018) EPA is directing the potentially responsible parties of the San Jacinto River Waste Pits Superfund site in Texas to take immediate action to address damage to the protective cap. Initial repairs will begin shortly at the damaged areas where the protective rock was missing. Upon completion, EPA will inspect the final repair.

EPA received preliminary data from sediment samples collected by EPA's dive team from twenty-two small areas measuring up to 50 square feet at the San Jacinto River Waste Pits Superfund site. Samples from twenty-two of the areas confirmed the protective cap is absent and the underlying waste material was exposed. The preliminary sample showed dioxins up to 60,500 ng/kg. EPA recommended clean up level for the site is 30 ng/kg.

EPA has directed both International Paper and Industrial Maintenance Corporation, the potentially responsible parties (PRPs) for the San Jacinto Waste Pits Superfund site in Harris County, to take steps to ensure that the exposed waste material is isolated and securely covered. The dioxin in the waste material does not dissolve easily in water, but it can migrate further out into the surrounding sediments.

The PRPs developed an Operations, Monitoring, and Maintenance Plan under Federal Order by the EPA and completed work to prevent wastes from continuing to migrate to adjacent areas including the San Jacinto River in July 2011. The Order allows the Agency to require additional measures and investigations deemed necessary by the Agency from its periodic inspection of the protective cap. EPA is exercising that authority today. EPA divers determined that additional measures were necessary.

The PRP conducted similar repairs in December 2015 and September 2017. EPA selected long-term remedy for the site has 150,000 cubic yards of waste removed and disposed of offsite.

EPA will continue to provide updates about the status of the Superfund site, and continue to work with the PRPs to ensure that risk to human health and the environment is managed as best as possible.

### **Connect with EPA Region 6:**

**On Facebook:** <https://www.facebook.com/eparegion6>

**On Twitter:** <https://twitter.com/EPAregion6>

**Activities in EPA Region 6:** <http://www.epa.gov/aboutepa/region6.htm>

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**From:** Carignan, Sylvia  
**Sent:** Thursday, July 19, 2018 10:38 AM  
**To:** 'Press' <[Press@epa.gov](mailto:Press@epa.gov)>  
**Cc:** 'reyes.brenda@epa.gov' <[reyes.brenda@epa.gov](mailto:reyes.brenda@epa.gov)>; 'rodriguez.elias@epa.gov' <[rodriguez.elias@epa.gov](mailto:rodriguez.elias@epa.gov)>  
**Subject:** Superfund sites and hurricane preparedness

Hi all,

Hope you're doing well. I'm working on a story about preparations for hurricane season, particularly at Superfund sites. I'd like to know the following:

- Which EPA regions are most engaged in hurricane preparedness efforts this year?
- What are those regions doing differently this year to ensure Superfund sites and their managers, owners, PRPs, and communities are prepared for severe weather and potential hazardous waste releases?
- At Superfund sites that were hit by Harvey, Irma, or Maria last year, are repairs or other recovery work still needed at this point?
- At those specific sites, are additional preparation plans in place for severe weather this year? If so, what are those additional plans?

I'd like to have responses to these by tomorrow at 3 p.m. Please let me know when this is received.

Best,  
Sylvia

\*\*\*\*\*

**Sylvia Carignan**  
Reporter, Superfund and Waste

**Bloomberg BNA**  
1801 S Bell St, Arlington VA 22202

Direct 703-341-3708  
[scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 7/31/2018 4:51:02 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

---

**From:** regionalpress  
**Sent:** Tuesday, July 31, 2018 4:51:00 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** Arcaute, Francisco; regionalpress; Kelley, Jeff; Rowan, Anne  
**Subject:** RE: Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

Is this the franklin, in site ?

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**

Ex. 6 Personal Privacy (PP) **mobile)**

---

**From:** Arcaute, Francisco  
**Sent:** Tuesday, July 31, 2018 11:22 AM  
**To:** regionalpress <regionalpress@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>  
**Subject:** Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

Sarah Bowman  
Indianapolis Star  
(m) Ex. 6 Personal Privacy (PP)  
(o) 317-444-6129  
[Sarah.Bowman@indystar.com](mailto:Sarah.Bowman@indystar.com)

Francisco Arcaute  
US EPA R5 press office  
312 886 7613  
Cell: Ex. 6 Personal Privacy (PP)

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 7/16/2018 9:14:11 PM  
**To:** David Reynolds [dreynolds@iwpnews.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Inquiry from Inside EPA newsletter about EPA coordination with OSHA on TSCA reviews

Hope our response also does. For attribution to “an EPA Spokesperson,” please:

- 1. I would like to ask whether the assertion above is accurate -- that EPA's planned risk reviews will forgo evaluation of exposures already regulated by its own rules but not those regulated by the rules of OSHA or the Consumer Product Safety Commission? And if so why?**

Given that OSHA recognizes that many of its permissible exposure limits (PELs) are outdated (<https://www.osha.gov/dsg/annotated-pels/>), EPA is including worker exposure scenarios in the TSCA Risk Evaluations. OSHA was part of the intra-agency review group for the problem formulations.

Certain exposure pathways are adequately assessed and effectively managed under other EPA-administered environmental statutes, and EPA has proposed not to include these in the TSCA risk evaluations. This allows the TSCA program to better protect human health and the environment by focusing on those pathways that are likely to represent the greatest areas of concern to EPA, avoiding duplicating efforts, and using resources efficiently under the TSCA program in order to meet the statutory deadlines and protect public health.

- 2. Also can EPA respond to assertions that TSCA requires EPA to consult with OSHA before regulating worker risks and to choose the least burdensome of duplicative requirements? Is EPA planning to consult with OSHA before regulating existing chemicals?**

TSCA section 9(d) requires EPA to consult and coordinate with other federal agencies, including OSHA, for the purpose of achieving the maximum enforcement of TSCA while imposing the least burdens of duplicative requirements on those subject to TSCA. Accordingly, EPA will consult with OSHA and other federal agencies before implementing risk management actions on existing chemicals under section 6.

- 3. Additionally, in December an industry group, the New Chemicals Coalition, asked that EPA craft a process for consulting with OSHA on evaluations of new chemicals' risks to workers under the revised TSCA. The group also argued that OSHA rules adequately protect workers, in most cases, making EPA restrictions unnecessary. Can you say whether EPA is considering crafting such a process or whether the agency has responded to this request?**

As with any stakeholder feedback, EPA has taken this request under advisement. To date, the agency has not responded to this request.

TSCA provides EPA with authority to address unreasonable risks identified with TSCA chemicals, including unreasonable risks to potentially exposed or susceptible subpopulations such as workers. Accordingly, EPA will continue to evaluate potential unreasonable risks to workers as part of its review of new chemicals.

Robert Daguillard  
U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Jul 16, 2018, at 5:08 PM, David Reynolds <[dreynolds@iwpnews.com](mailto:dreynolds@iwpnews.com)> wrote:

Hey Robert:

We would appreciate your input and can update a story if a response arrives after we have to publish this evening.

Hope that makes sense.

Dave

703-416-8541

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**To:** David Reynolds <[dreynolds@iwpnews.com](mailto:dreynolds@iwpnews.com)>

**Sent:** 7/16/2018 4:58 PM

**Subject:** RE: Inquiry from Inside EPA newsletter about EPA coordination with OSHA on TSCA reviews

Hullo David,

We're very much hoping to get you a response tonight. It might just come a little after 5 PM, if that's OK. Please advise.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** David Reynolds [<mailto:dreynolds@iwpnews.com>]

**Sent:** Friday, July 13, 2018 5:34 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Inquiry from Inside EPA newsletter about EPA coordination with OSHA on TSCA reviews

Hello:

I would like to ask a few questions related to EPA's plans for the first 10 chemical reviews under the revised TSCA and ongoing industry calls for EPA to consult and possibly defer to OSHA rules in regulating chemicals.

An industry attorney told a July 11 webinar that EPA's problem formulations supporting the first 10 reviews of existing chemicals show EPA planning to assess occupational exposures without considering that OSHA rules already adequately protect workers. The lawyer also said that EPA makes clear that it does not intend to evaluate exposures that are already adequately protected by EPA's own rules, such as the Clean Air Act or Resource Conservation and Recovery Act. The attorney said that TSCA requires EPA to consult with OSHA before regulating worker risks.

A link to the webinar should soon be posted here: <https://www.khlaw.com/TSCA3030>

1. I would like to ask whether the assertion above is accurate -- that EPA's planned risk reviews will forgo evaluation of exposures already regulated by its own rules but not those regulated by the rules of OSHA or the Consumer Product Safety Commission? And if so why?
2. Also can EPA respond to assertions that TSCA requires EPA to consult with OSHA before regulating worker risks and to choose the least burdensome of duplicative requirements? Is EPA planning to consult with OSHA before regulating existing chemicals?
3. Additionally, in December an industry group, the New Chemicals Coalition, asked that EPA craft a process for consulting with OSHA on evaluations of new chemicals' risks to workers under the revised TSCA. The group also argued that OSHA rules adequately protect workers, in most cases, making EPA restrictions unnecessary. Can you say whether EPA is considering crafting such a process or whether the agency has responded to this request?

I would appreciate any assistance you can provide. We would like to run a story on this topic before 5 pm Monday, though it could be updated at a later date, if EPA is able to provide information.

Thank you,

Dave

*Inside EPA* newsletter

703-416-8541



Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 11/7/2018 2:20:48 AM  
**To:** Press [Press@epa.gov]  
**Subject:** Fwd: deadline request to speak with Reuben Barris

Third Floor, OK to

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)** ?

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
**Ex. 6 Personal Privacy (PP)** (M)  
202-564-6618 (O)

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** November 6, 2018 at 9:12:45 PM EST  
**To:** Liza Gross <**Ex. 6 Personal Privacy (PP)**>  
**Cc:** Press <Press@epa.gov>  
**Subject: Re: deadline request to speak with Reuben Barris**

Good evening Liz,

Attribution to "a Spokesperson," or to the agency is standard EPA policy.

Also, you're very likely aware the statement I sent you is now moot, right? We announced our dicamba label updates last Friday.

If it's not too late, I'll send you the release link in the AM. Let me know.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
**Ex. 6 Personal Privacy (PP)** (M)  
202-564-6618 (O)

On Nov 6, 2018, at 8:28 PM, Liza Gross <**Ex. 6 Personal Privacy (PP)**> wrote:

Robert,

My editor is asking why the statement is coming from an unnamed spokesman. I can offer no good reason and wanted to let you know that I'm attributing the statement to you.

Liza

Liza Gross  
*Journalist/editor based in the San Francisco Bay Area*

The Science Writers' Investigative Reporting Handbook  
[Available on Amazon](#)

[www.lizagross.com](http://www.lizagross.com)  
@lizabio on Twitter  
liza.m.gross on Skype

+1.510.525.2494 (office)  

Ex. 6 Personal Privacy (PP)

 (cell/Signal)

On Wed, Oct 3, 2018 at 6:55 AM Daguiard, Robert  
<[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Hey Liza,

I got your voicemail. Here's our statement on registration.

"EPA continues to receive information from stakeholders regarding the use of dicamba for over-the-top applications. EPA will use all available evidence when evaluating registrations for over-the-top use of dicamba. We expect to make a decision in the near future." – **EPA Spokesperson.**

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Liza Gross [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Monday, October 01, 2018 2:36 PM  
**To:** Press <Press@epa.gov>  
**Subject:** deadline request to speak with Reuben Barris

Dear press officers,

I'm working on a story about dicamba for Reveal, from the Center for Investigative Reporting, and need to speak with Reuben Barris or another official in the herbicide branch. Please let me know when I can speak to someone.

Thank you.

Sincerely,

Liza Gross

Liza Gross

*Journalist/editor based in the San Francisco Bay Area*

The Science Writers' Investigative Reporting Handbook

[Available on Amazon](#)

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+1.510.525.2494 (office)

Ex. 6 Personal Privacy (PP) (cell/Signal)

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 7/31/2018 3:22:04 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

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**From:** Arcaute, Francisco  
**Sent:** Tuesday, July 31, 2018 3:22:04 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** regionalpress; Kelley, Jeff; Rowan, Anne  
**Subject:** Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

Indianapolis Star (Sarah Bowman) requests not for attribution backgrounder on Amphenol. Reporter will talk to program experts on Aug 1. OPA will moderate phone call.

Sarah Bowman  
Indianapolis Star  
(m) Ex. 6 Personal Privacy (PP)  
(o) 317-444-6129  
[Sarah.Bowman@indystar.com](mailto:Sarah.Bowman@indystar.com)

Francisco Arcaute  
US EPA R5 press office  
312 886 7613  
Cell: Ex. 6 Personal Privacy (PP)

Message

---

**From:** Maxine Joselow [mjoselow@eenews.net]  
**Sent:** 11/6/2018 8:13:38 PM  
**To:** Konkus, John [konkus.john@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: E&E News sit-down interview request

Hi John,

I hope you're doing well on Election Day. I'm just following up with a list of questions that I was hoping you or someone else in the EPA press could answer. My deadline is Thursday at 5pm ET. Feel free to give me a call at 202-737-4369 if you'd prefer to discuss things over the phone on background before providing responses on the record for attribution to an EPA spokesperson. And please let me know if you reconsider the possibility of a sit-down interview. Thanks again and looking forward to your responses to the following questions:

- How would you describe EPA's press strategy? Is it different than the agency's press strategy under the Obama administration?
- Why did EPA's press shop decide to issue an Oct. 30 news release titled "EPA Sets the Record Straight After Being Misrepresented in Press"? Was it in response to specific news articles?
- Why did EPA's press shop decide to issue a Nov. 1 news release titled "Fact Checking Seven Falsehoods in CNN's Report"? Did you reach out to the reporters and editors at CNN responsible for that reporting and have a discussion with them?
- How would you respond to criticism that EPA's press strategy has become too aggressive?

Thanks,  
Maxine

---

**From:** Maxine Joselow  
**Sent:** Friday, November 02, 2018 3:25 PM  
**To:** 'Konkus, John' <konkus.john@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: E&E News sit-down interview request

Thanks for the response. That's too bad but I understand. I'll plan on sending a list of questions next week. Thanks and have a great weekend.

---

**From:** Konkus, John [mailto:konkus.john@epa.gov]  
**Sent:** Friday, November 02, 2018 3:09 PM  
**To:** Maxine Joselow <mjoselow@eenews.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: E&E News sit-down interview request

We will pass. Thanks!

John Konkus  
Environmental Protection Agency  
Deputy Associate Administrator  
Office of Public Affairs

On Nov 2, 2018, at 1:26 PM, Maxine Joselow <mjoselow@eenews.net> wrote:

Hi John,

I hope this email finds you well. I'm a reporter for E&E News who has previously been in touch. I'm currently working on a piece about EPA's press strategy, and I was hoping to schedule a sit-down interview with you to discuss this. My colleague Robin Bravender previously wrote a [story](#) about EPA's press strategy during the Obama administration, and I was hoping to write a similar piece with respect to the Trump administration. I thought a sit-down interview would be a better way for you to weigh in and address any criticism, rather than simply sending you a list of questions to respond to. The interview could happen any time in the next week or so. I'm happy to send some potential topics or questions in advance. Please let me know about this possibility when you get the chance, and thanks very much for your consideration.

Sincerely,

Maxine

--

Maxine Joselow

E&E News reporter

202-737-4369 (o)

Ex. 6 Personal Privacy (PP) (c)

@maxinejoselow

**E&E NEWS**

122 C Street NW 7th Floor Washington, DC 20001

[www.eenews.net](http://www.eenews.net) | [@EENewsUpdates](#)

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

---

**From:** Kelly Franklin [kelly.franklin@chemicalwatch.com]  
**Sent:** 10/24/2018 12:32:59 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Media inquiry: TSCA new chemicals program

Thanks so much, Robert!

On 23 October 2018 at 14:37, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Kelly,

Please find our response, attached and for attribution to U.S EPA, please.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Kelly Franklin [mailto:[kelly.franklin@chemicalwatch.com](mailto:kelly.franklin@chemicalwatch.com)]  
**Sent:** Monday, October 15, 2018 11:29 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Media inquiry: TSCA new chemicals program

Thanks Robert. Enesta, to follow on my previous email to Robert: if more specific questions would be helpful, I'd be curious to hear more on any of the following:

- Some in industry have said that while there is no minimum data set for new substances, certain tests are being routinely required with such frequency that they are operating as something of a *de facto* minimum data set. Is this occurring? Can you speak to how the agency determines what tests to request?

- The most recent program statistics show 483 cases under review, which is significantly above the 300 'average' load. To what is the high level attributable? Is this number expected to increase or decrease? Why?
- A larger number of submissions are being withdrawn by the original submitter than before passage of Lautenberg. Why is this the case?
- I've also heard some concerns that EPA is taking an overly precautionary approach and "assuming the worst", in terms of the default assumptions used in substance reviews. There have also been objections raised to imposing consent orders or SNURs that require the use of PPE and other workplace safety measures that are already required by OSHA, which some argue is duplicative and unnecessary. Can you speak to these concerns? How is EPA balancing the appropriate level of protectiveness and meeting the program changes put in place by Lautenberg against the importance of timely reviews and regulatory certainty?

I can push my deadline a little bit if you would like to address any of these questions more specifically, to noon Wednesday. Would that work?

Thanks,

Kelly

On 11 October 2018 at 16:24, Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

It's always helpful. Just so you know, I'll be out all next week, so you can always follow up with my colleague Enesta if needed.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

---

**From:** Kelly Franklin [mailto:[kelly.franklin@chemicalwatch.com](mailto:kelly.franklin@chemicalwatch.com)]

**Sent:** Thursday, October 11, 2018 4:23 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Re: Media inquiry: TSCA new chemicals program



At the moment no, and I've just closed down my computer for the week, but I can send more specific questions Monday morning if that would help?

Thanks,

Kelly

On Oct 11, 2018, at 4:21 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Kelly,

Let me get this started for you. Do you have more specific questions, or more specific stakeholder comments you'd like us to reply to?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Kelly Franklin [<mailto:kelly.franklin@chemicalwatch.com>]

**Sent:** Thursday, October 11, 2018 4:06 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Media inquiry: TSCA new chemicals program

Hi Robert,

I am planning on doing a story covering TSCA new chemicals program data that SOCMA presented at an SBA roundtable back in September. I'm also planning to discuss the ways in

which industry remains concerned at the pace of review, the size of the backlog, some of the tests that are being requested to support PMN decisions, and the amount of substances that are being subject to consent orders and SNURs.

Would EPA like to provide any comment? I'd be interested in any insights as to how the program is evolving and changing in the two+ years since Lautenberg, and any new initiatives the agency has planned to continue to improve on the pace and quality of reviews. Any feedback you can provide would be great.

My deadline is end of day Monday, October 15.

Thanks,

Kelly

--

**Kelly Franklin**

North America Editor  
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--

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--

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[www.chemicalwatch.com](http://www.chemicalwatch.com)



Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 9/11/2019 6:50:23 PM  
**To:** Hauser, Christine [hauser@nytimes.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Subject: sulfoxaflor

Good thing we won't need that long.

For attribution to "an EPA Spokesperson," please:

**1. Why didn't the EPA allow public feedback to take place in making its decision, as it has previously done?**

**Response 1.** EPA has taken public comment several times for sulfoxaflor. We accepted public comment on the initial sulfoxaflor registration in 2013 and on the second registration with fewer uses in 2016. We also requested public comment after publishing the Notices of Receipt and Notices of Filing for the new uses in 2014, 2018 and 2019. Over the past five years, EPA has received considerable feedback on sulfoxaflor from stakeholders through these public comment periods and other correspondence.

**2. Which studies did it use - ones supplied by Corteva or other sources?**

**Response 2.** EPA evaluated data submitted by the registrant as well as available literature. Additionally, many studies that are submitted by the registrant are sponsored by the registrant and conducted by an independent contract research organization.

Cheers, R.

Robert Daguillard  
Communications Officer (Detail)  
Office of Chemical Safety  
and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

**From:** Hauser, Christine <hauser@nytimes.com>  
**Sent:** Wednesday, September 11, 2019 12:27 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Subject: sulfoxaflor

EOD or maybe tomorrow is fine. It's important that I get the answers if possible.  
thanks so much

On Wed, Sep 11, 2019 at 12:19 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Christine. That'll likely prove a bit tight, to be perfectly honest. Any way you can push back until EOD, or even tomorrow?

Cheers, R.

Robert Daguillard  
Communications Officer (Detail)

Office of Chemical Safety  
and Pollution Prevention

U.S. Environmental Protection Agency  
  
Washington, DC

+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Hauser, Christine <[hauser@nytimes.com](mailto:hauser@nytimes.com)>  
**Sent:** Wednesday, September 11, 2019 12:05 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Subject: sulfoxaflor

yes. I would like to file before 2 pm please

On Wed, Sep 11, 2019 at 12:04 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Christine. Are you on deadline?

Cheers, R.

Robert Daguillard  
Communications Officer (Detail)

Office of Chemical Safety  
and Pollution Prevention

U.S. Environmental Protection Agency  
  
Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Hauser, Christine <hauser@nytimes.com>  
**Sent:** Wednesday, September 11, 2019 12:03 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Subject: sulfoxaflor

Hi Robert

Thanks. I understand.

Separate questions

Re: the decision in July: why didn't the EPA allow public feedback to take place in making its decision, as it has previously done?

Which studies did it use - ones supplied by Corteva or other sources?

thanks

thanks

On Tue, Sep 10, 2019 at 1:23 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon,

EPA does not comment on pending litigation – **EPA Spokesperson.**

Cheers, R.

Robert Daguillard  
Communications Officer (Detail)

Office of Chemical Safety  
and Pollution Prevention

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** "Hauser, Christine" <hauser@nytimes.com>

**Date:** September 10, 2019 at 1:12:08 PM EDT

**To:** Press <Press@epa.gov>

**Subject:** sulfoxaflor

Good afternoon,

Does the EPA have a comment about the lawsuit filed in the 9th appeals court on 9/6 alleging the EPA's decision on July 12 was made with adequate studies?

Here: <https://earthjustice.org/sites/default/files/files/STAMPED%20-%201-3%20Petition%20for%20Review%209-6-19.pdf>

thank you

--

Christine Hauser

Reporter

The New York Times

212-556-7514 direct (please try this number first)

Ex. 6 Personal Privacy (PP) cell

@ChristineNYT

--

Christine Hauser

Reporter

The New York Times

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--

Christine Hauser

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--

Christine Hauser

Reporter

The New York Times

212-556-7514 direct (please try this number first)

Ex. 6 Personal Privacy (PP) cell

@ChristineNYT



Message

---

**From:** Pamela Smith [Pamela.Smith@dtn.com]  
**Sent:** 7/20/2018 2:20:32 AM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Emily Unglesbee [Emily.Unglesbee@dtn.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: EPA comment/answer

Got it. Thanks!

--

Pamela Smith  
DTN/The Progressive Farmer  
Crops Technology Editor  
2530 S. Forest Crest Road  
Decatur, Ill. 62521  
217/423-1006 (direct)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Pamela.smith@dtn.com](mailto:Pamela.smith@dtn.com)

---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Thursday, July 19, 2018 at 9:19 PM  
**To:** Emily Unglesbee <[Emily.Unglesbee@dtn.com](mailto:Emily.Unglesbee@dtn.com)>, DTN User <[Pamela.Smith@dtn.com](mailto:Pamela.Smith@dtn.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: EPA comment/answer

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Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Jul 19, 2018, at 9:53 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Emily, for attribution to "an EPA Spokesperson," please:

- Q1. how is EPA tracking and responding to these issues?

R1. EPA is aware of this issue and is working actively to understand its causes and help mitigate these issues in the future.

- Q2. Is EPA aware of a rise in non-soybean dicamba damage, as well as the potential for more as more soybean acres are planted with the dicamba-tolerant Xtend trait in years to come?

R2. EPA is aware of field reports of off field and non-target crop damage related to the use of dicamba. Past reports claim damage is mostly to non-dicamba resistant soybean, but also include peaches, melons, tomatoes, cantaloupe, grapes, pumpkins, alfalfa, non-dicamba-resistant cotton, peanuts, peas, organic crops, residential/ ornamental gardens and other non-target crops. We are actively collecting this information from states and EPA regional personnel in order to fully understand the circumstances and scope of the issues.

- Q3. Is there a formal system in place to track non-soybean acre damage? Any plans for one?

R3. EPA is not limited to AAPCO's periodic survey. We are receiving multiple forms of information from multiple sources including, state narrative feedback, grower experiences, incident and acre damage reporting, regulatory compliance review, data from USDA, commodity experts and others. EPA is also in regular contact with farmers, researchers, and agricultural companies to remain informed of any dicamba issues occurring in the 2018 growing season.

- Q4. Does EPA consider this an important component of its decision on the registration of the three new dicamba herbicides?
- Q5. Specifically, how will reports of non-soybean dicamba damage affect that decision?

R4 & 5. EPA will consider all available information in its decision-making process. With advice from state and industry agriculture experts and university crop scientists, we will use a weight-of-evidence approach to evaluate whether the new restrictions are successfully preventing damage to neighboring crops and other sensitive plants. Our goal is to make a decision in time for growers to make informed seed purchase decisions for the next planting season.

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Jul 19, 2018, at 2:00 PM, Emily Unglesbee <[Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)> wrote:

Robert,

Do you have a comment on this coming today? We are posting first thing tomorrow morning.

Emily Unglesbee  
DTN Staff Reporter  
Phone: 402-637-3295  
E-mail: [Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)

---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]  
**Sent:** Monday, July 16, 2018 5:49 PM

To: Emily Unglesbee <[Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)>

Subject: Re: EPA comment/answer

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Ex. 6 Personal Privacy (PP) And thanks.

Let's shoot for Thursday, then.

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Jul 16, 2018, at 5:44 PM, Emily Unglesbee <[Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)> wrote:

What! Congratulations! Ex. 6 Personal Privacy (PP)

No worries — we've had email issues of our own recently. Friday might be too late, depending on how fast the editors move. Sorry — it's a little beyond my control after i turn it over. Any chance you could do Thursday?

Emily Unglesbee  
DTN/The Progressive Farmer  
402-637-3295

On Jul 16, 2018, at 4:40 PM, Daguiard, Robert  
<[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

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OK. On it.

Ex. 6 Personal Privacy (PP) — and

I know for a fact I had my out-of-office on, so my apologies. You're the third person to tell me they never received it, which suggests a mail system issue of some sort. We'll work to get you something by the end of the week. Friday OK?

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection  
Agency  
Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Emily Unglesbee  
[mailto:Emily.Unglesbee@dtn.com]  
**Sent:** Monday, July 16, 2018 4:14 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Subject:** RE: EPA comment/answer

Yes. I'm writing it now, hoping to publish by the end of the week.

Emily Unglesbee  
DTN Staff Reporter  
Phone: 402-637-3295  
E-mail: [Emily.Unglesbee@dtn.com](mailto:Emily.Unglesbee@dtn.com)

---

**From:** Daguiard, Robert  
[mailto:Daguiard.Robert@epa.gov]  
**Sent:** Monday, July 16, 2018 1:54 PM  
**To:** Emily Unglesbee <Emily.Unglesbee@dtn.com>  
**Subject:** RE: EPA comment/answer

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Got it. Are you still working on this story, then? And when are you hoping to publish?

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection  
Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Emily Unglesbee  
[mailto:Emily.Unglesbee@dtn.com]  
**Sent:** Monday, July 16, 2018 1:51 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Subject:** RE: EPA comment/answer

Robert, I did not get that, no! And I still do not have any information on my inquiry from EPA.

Emily Unglesbee  
DTN Staff Reporter  
Phone: 402-637-3295  
E-mail: [Emily.Unglesbee@dtn.com](mailto:Emily.Unglesbee@dtn.com)

---

**From:** Daguiard, Robert  
[mailto:Daguiard.Robert@epa.gov]  
**Sent:** Monday, July 16, 2018 1:50 PM  
**To:** Emily Unglesbee <Emily.Unglesbee@dtm.com>  
**Subject:** RE: EPA comment/answer

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Hullo Emily.

I hope you got my out-of-office message this past Thursday, and sought help via [press@epa.gov](mailto:press@epa.gov). Otherwise, do you have the information you need, or are you still working on this story? Happy to discuss. Please advise.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection  
Agency  
Washington, DC  
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Ex. 6 Personal Privacy (PP) (M)

---

**From:** Emily Unglesbee  
[mailto:Emily.Unglesbee@dtm.com]  
**Sent:** Thursday, July 12, 2018 4:21 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Subject:** RE: EPA comment/answer

Robert, did you receive this inquiry?

Emily Unglesbee  
DTN Staff Reporter  
Phone: 402-637-3295  
E-mail: [Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)

---

**From:** Emily Unglesbee  
**Sent:** Monday, July 09, 2018 12:19 PM  
**To:** Daguiard, Robert ([Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov))  
<[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** EPA comment/answer

Robert,

I'm working on a story about damage from dicamba to non-soybean crops and plants – such as vegetable and fruit farms, nurseries, trees, homeowner plants and more. Weed scientists and others are telling me there is significantly more dicamba damage this year in this arena. Since this type of damage is not being formally tracked (such as the University of Missouri is doing with injured soybean acres), and the lone effort to do so (AAPCO's periodic survey) has gaps, delays and only track official complaints (which we know are vastly lower than actual injury incidents), how is EPA tracking and responding to these issues?

- ? Is EPA aware of a rise in non-soybean dicamba damage, as well as the potential for more as more soybean acres are planted with the dicamba-tolerant Xtend trait in years to come?
- ? Is there a formal system in place to track non-soybean acre damage? Any plans for one?
- ? Does EPA consider this an important component of its decision on the registration of the three new dicamba herbicides?
- ? Specifically, how will reports of non-soybean dicamba damage affect that decision?

The story is being written this week, with an eye toward publication early next week.

Thanks,

**Emily Unglesbee**

**DTN Staff Reporter | DTN/*The Progressive Farmer***

**Phone:** 402-637-3295

**E-mail:** [Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)

**Twitter:** [https://twitter.com/Emily\\_Unglesbee](https://twitter.com/Emily_Unglesbee)

[www.dtnpf.com](http://www.dtnpf.com)

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Message

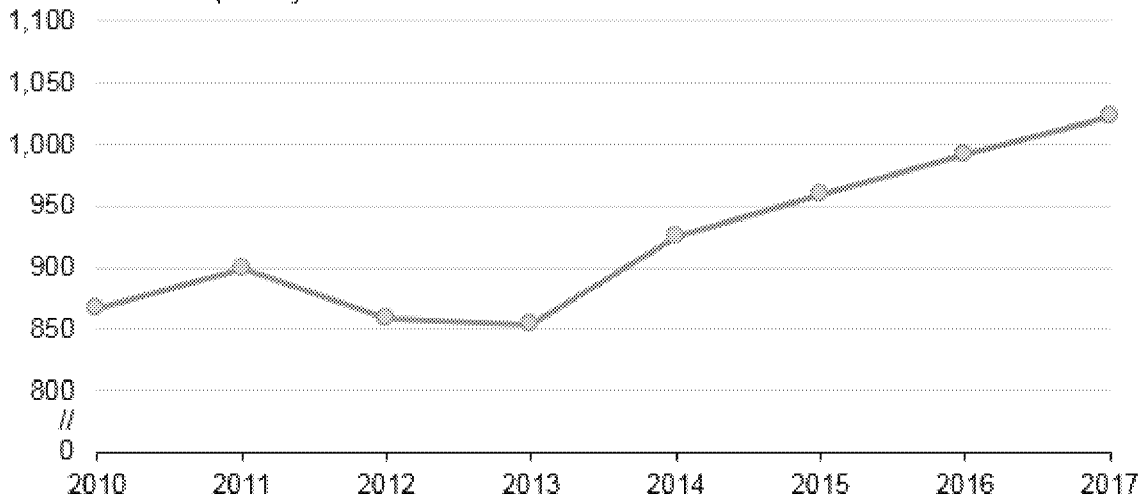
**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 6/20/2018 3:03:13 PM  
**To:** Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Hewitt, James [hewitt.james@epa.gov]  
**Subject:** RE: Farm World -- Hardship Waiver Question

Hmmm..... I wonder what could have possibly changed since 2010!

## U.S. fuel ethanol production continues to grow in 2017

### U.S. ethanol production (2010-2017)

thousand barrels per day



Source: U.S. Energy Information Administration, *Weekly Petroleum Status Report*  
Note: 2017 values based on production through June 23.

Jk I'll talk with Mandy about it.

**From:** Block, Molly  
**Sent:** Wednesday, June 20, 2018 10:55 AM  
**To:** Abboud, Michael <abboud.michael@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Hewitt, James <hewitt.james@epa.gov>  
**Subject:** Fwd: Farm World -- Hardship Waiver Question

Can you follow up on this one?

Sent from my iPhone

Begin forwarded message:

**From:** [Jnstrickler@protonmail.com](mailto:Jnstrickler@protonmail.com)  
**Date:** June 20, 2018 at 10:53:21 AM EDT  
**To:** "Block, Molly" <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: Farm World -- Hardship Waiver Question  
**Reply-To:** [Jnstrickler@protonmail.com](mailto:Jnstrickler@protonmail.com)

Thanks for you help Ms. Block. It is greatly appreciated it. One other question. If the criteria has not changed since 2010, why the increase in exemptions?



Just trying to get a better idea.

Thanks.

Jordan

Sent with ProtonMail Secure Email.

----- Original Message -----

On 20 June 2018 9:14 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Jordan -

“During last week’s Heartland tour, Administrator Pruitt shared that he believes it is possible to grant the RVP waiver for E15 under the Clean Air Act, and to be effective, would require a subsequent notice and comment rulemaking process.” – Lincoln Ferguson, EPA Spokesperson

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information over which applicants claim CBI protections.” **EPA spokesperson**

Additional background (not for attribution):

- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
- The “formula” for determining hardship is found in the two DOE studies available here: <https://www.epa.gov/renewable-fuel-standard-program/small-refinery-exemption-studies-department-energy>

Sent from my iPhone

On Jun 20, 2018, at 8:25 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Third Floor, will you handle, or should I work with the program?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** [Jnstrickler@protonmail.com](mailto:Jnstrickler@protonmail.com)

[<mailto:Jnstrickler@protonmail.com>]

**Sent:** Tuesday, June 19, 2018 11:46 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Farm World -- Hardship Waiver Question

Hi Mr. Daguillard,

My name is Jordan Strickler and I am a freelance writer for Farm World News. I have been covering the RFS hardship waiver news for our paper recently and just had a couple of questions, I was hoping I could have answered.

The first is, what is the formula for deciding a "hardship"? If there is none currently, do you think that there might be a standard in the future? The second is what do you think the chances are that the EPA would allow E-15 year round.

Any help with one or both of those questions would be greatly appreciated.

Thanks!

Jordan Strickler

859-229-9699

[jnstrickler@protonmail.com](mailto:jnstrickler@protonmail.com)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 7/20/2018 2:19:23 AM  
**To:** Emily Unglesbee [Emily.Unglesbee@dtm.com]; pamela.smith@dtm.com  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: EPA comment/answer

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Jul 19, 2018, at 9:53 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Emily, for attribution to "an EPA Spokesperson," please:

- Q1. how is EPA tracking and responding to these issues?

R1. EPA is aware of this issue and is working actively to understand its causes and help mitigate these issues in the future.

- Q2. Is EPA aware of a rise in non-soybean dicamba damage, as well as the potential for more as more soybean acres are planted with the dicamba-tolerant Xtend trait in years to come?

R2. EPA is aware of field reports of off field and non-target crop damage related to the use of dicamba. Past reports claim damage is mostly to non-dicamba resistant soybean, but also include peaches, melons, tomatoes, cantaloupe, grapes, pumpkins, alfalfa, non-dicamba-resistant cotton, peanuts, peas, organic crops, residential/ ornamental gardens and other non-target crops. We are actively collecting this information from states and EPA regional personnel in order to fully understand the circumstances and scope of the issues.

- Q3. Is there a formal system in place to track non-soybean acre damage? Any plans for one?

R3. EPA is not limited to AAPCO's periodic survey. We are receiving multiple forms of information from multiple sources including state narrative feedback, grower experiences, incident and acre damage reporting, regulatory compliance review, data from USDA, commodity experts and others. EPA is also in regular contact with farmers, researchers, and agricultural companies to remain informed of any dicamba issues occurring in the 2018 growing season.

- Q4. Does EPA consider this an important component of its decision on the registration of the three new dicamba herbicides?
- Q5. Specifically, how will reports of non-soybean dicamba damage affect that decision?

R4 & 5. EPA will consider all available information in its decision-making process. With advice from state and industry agriculture experts and university crop scientists, we will use a weight-of-evidence approach to evaluate whether the new restrictions are successfully preventing damage to neighboring crops and other sensitive plants. Our goal is to make a decision in time for growers to make informed seed purchase decisions for the next planting season.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Jul 19, 2018, at 2:00 PM, Emily Unglesbee <[Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)> wrote:

Robert,

Do you have a comment on this coming today? We are posting first thing tomorrow morning.

Emily Unglesbee  
DTN Staff Reporter  
Phone: 402-637-3295  
E-mail: [Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Monday, July 16, 2018 5:49 PM  
**To:** Emily Unglesbee <[Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)>  
**Subject:** Re: EPA comment/answer

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Ex. 6 Personal Privacy (PP)

 And thanks.

Let's shoot for Thursday, then.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Jul 16, 2018, at 5:44 PM, Emily Unglesbee <[Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)> wrote:

What! Congratulations! 

Ex. 6 Personal Privacy (PP)

No worries — we've had email issues of our own recently. Friday might be too late, depending on how fast the editors move. Sorry — it's a little beyond my control after i turn it over. Any chance you could do Thursday?

Emily Unglesbee  
DTN/The Progressive Farmer  
402-637-3295

On Jul 16, 2018, at 4:40 PM, Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

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OK. On it.

**Ex. 6 Personal Privacy (PP)**

— and

I know for a fact I had my out-of-office on, so my apologies. You're the third person to tell me they never received it, which suggests a mail system issue of some sort. We'll work to get you something by the end of the week. Friday OK?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection  
Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Emily Unglesbee  
[mailto:[Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)]  
**Sent:** Monday, July 16, 2018 4:14 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: EPA comment/answer

Yes. I'm writing it now, hoping to publish by the end of the week.

Emily Unglesbee  
DTN Staff Reporter  
Phone: 402-637-3295  
E-mail: [Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)

---

**From:** Daguillard, Robert  
[mailto:[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)]  
**Sent:** Monday, July 16, 2018 1:54 PM

**To:** Emily Unglesbee <[Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)>

**Subject:** RE: EPA comment/answer

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Got it. Are you still working on this story, then? And when are you hoping to publish?

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection  
Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Emily Unglesbee

[<mailto:Emily.Unglesbee@dtm.com>]

**Sent:** Monday, July 16, 2018 1:51 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** RE: EPA comment/answer

Robert, I did not get that, no! And I still do not have any information on my inquiry from EPA.

Emily Unglesbee

DTN Staff Reporter

Phone: 402-637-3295

E-mail: [Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)

---

**From:** Daguiard, Robert

[<mailto:Daguiard.Robert@epa.gov>]

**Sent:** Monday, July 16, 2018 1:50 PM

**To:** Emily Unglesbee <[Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)>

**Subject:** RE: EPA comment/answer

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hullo Emily.

I hope you got my out-of-office message this past Thursday, and sought help via [press@epa.gov](mailto:press@epa.gov). Otherwise, do you have the information you need, or are you still working on this story? Happy to discuss. Please advise.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection  
Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Emily Unglesbee  
[mailto:Emily.Unglesbee@dtm.com]  
**Sent:** Thursday, July 12, 2018 4:21 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: EPA comment/answer

Robert, did you receive this inquiry?

Emily Unglesbee  
DTN Staff Reporter  
Phone: 402-637-3295  
E-mail: [Emily.Unglesbee@dtm.com](mailto:Emily.Unglesbee@dtm.com)

---

**From:** Emily Unglesbee  
**Sent:** Monday, July 09, 2018 12:19 PM  
**To:** Daguillard, Robert ([Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov))  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** EPA comment/answer

Robert,

I'm working on a story about damage from dicamba to non-soybean crops and plants – such as vegetable and fruit farms, nurseries, trees, homeowner plants and more. Weed scientists and others are telling me there is significantly more dicamba damage this year in this arena. Since this type of damage is not being formally tracked (such as the University of Missouri is doing with injured soybean acres), and the lone effort to do so (AAPCO's periodic survey) has gaps, delays and only track official complaints (which we know are vastly lower than actual injury incidents), how is EPA tracking and responding to these issues?

- Is EPA aware of a rise in non-soybean dicamba damage, as well as the potential for more as more soybean acres are planted with the dicamba-tolerant Xtend trait in years to come?
- Is there a formal system in place to track non-soybean acre damage? Any plans for one?



- Does EPA consider this an important component of its decision on the registration of the three new dicamba herbicides?
- Specifically, how will reports of non-soybean dicamba damage affect that decision?

The story is being written this week, with an eye toward publication early next week.

Thanks,

**Emily Unglesbee**

**DTN Staff Reporter | DTN/*The Progressive Farmer***

**Phone:** 402-637-3295

**E-mail:** [Emily.Unglesbee@dtn.com](mailto:Emily.Unglesbee@dtn.com)

**Twitter:** [https://twitter.com/Emily\\_Unglesbee](https://twitter.com/Emily_Unglesbee)

[www.dtnpf.com](http://www.dtnpf.com)

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Message

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**From:** Jnstrickler@protonmail.com [Jnstrickler@protonmail.com]  
**Sent:** 6/22/2018 1:00:39 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**Subject:** Re: Farm World -- Hardship Waiver Question

Good morning. I had talked to a gentleman Wednesday (I'm sorry I don't remember his name) and he pretty much answered my question, but said he was supposed to get a statement worked up. Was wondering if he had gotten a chance to do that yet?

Thanks again.

Jordan

Sent with ProtonMail Secure Email.

----- Original Message -----

On 20 June 2018 10:53 AM, <Jnstrickler@protonmail.com> wrote:

Thanks for you help Ms. Block. It is greatly appreciated it. One other question. If the criteria has not changed since 2010, why the increase in exemptions?

Just trying to get a better idea.

Thanks.

Jordan

Sent with ProtonMail Secure Email.

----- Original Message -----

On 20 June 2018 9:14 AM, Block, Molly <block.molly@epa.gov> wrote:

Jordan -

“During last week’s Heartland tour, Administrator Pruitt shared that he believes it is possible to grant the RVP waiver for E15 under the Clean Air Act, and to be effective, would require a subsequent notice and comment rulemaking process.” – Lincoln Ferguson, EPA Spokesperson

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory

threshold. EPA decisions on waivers are based on refinery-specific information over which applicants claim CBI protections.” **EPA spokesperson**

Additional background (not for attribution):

- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
- The “formula” for determining hardship is found in the two DOE studies available here: <https://www.epa.gov/renewable-fuel-standard-program/small-refinery-exemption-studies-department-energy>

Sent from my iPhone

On Jun 20, 2018, at 8:25 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Third Floor, will you handle, or should I work with the program?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** [Jnstrickler@protonmail.com](mailto:Jnstrickler@protonmail.com)  
[<mailto:Jnstrickler@protonmail.com>]

**Sent:** Tuesday, June 19, 2018 11:46 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Farm World -- Hardship Waiver Question

Hi Mr. Daguillard,

My name is Jordan Strickler and I am a freelance writer for Farm World News. I have been covering the RFS hardship waiver news for our paper recently and just had a couple of questions, I was hoping I could have answered.

The first is, what is the formula for deciding a "hardship"? If there is none currently, do you think that there might be a standard in the future? The second is what do you think the chances are that the EPA would allow E-15 year round.

Any help with one or both of those questions would be greatly appreciated.

Thanks!

Jordan Strickler

859-229-9699

[jnstrickler@protonmail.com](mailto:jnstrickler@protonmail.com)

Message

---

**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 8/6/2018 8:15:24 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Alan Yu [ayu@whyy.org]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: ALAN: Your questions on drugs in water

Thanks!

---

**From:** Daguillard, Robert  
**Sent:** Monday, August 06, 2018 3:40 PM  
**To:** Alan Yu <ayu@whyy.org>  
**Cc:** Press <Press@epa.gov>  
**Subject:** ALAN: Your questions on drugs in water

Alan, for attribution to “an EPA spokesperson,” please:

Contaminants of emerging concern (CECs), including pharmaceuticals and personal care products (PPCPs), are increasingly being detected at low levels in surface water, and there is concern that these compounds may have an impact on aquatic life. It is important for EPA to be able to evaluate the potential impact of CECs and PPCPs on aquatic life and have an approach for determining protective levels for aquatic organisms.  
<https://www.epa.gov/wqc/contaminants-emerging-concern-including-pharmaceuticals-and-personal-care-products>

Pharmaceuticals tend to make their way in to our waters primarily through excretion of active drugs directly from patients and subsequent incomplete removal of those pharmaceuticals from our wastewater during wastewater treatment.

Concentrations of 56 high priority pharmaceuticals (based on predicted concentration and potency) were measured in effluent samples from 50 very large wastewater treatment plants across the country—these 50 plants produce about one sixth of all municipal wastewater plant effluent produced in the US. Although pharmaceuticals were found in every sample, the concentrations were low and in-line with predictions. This body of work suggests that risks to humans, from aquatic exposure (including drinking water) to single drugs or mixtures, are low. It also suggests that risks to aquatic life from most pharmaceuticals are low. <https://www.epa.gov/water-research/risks-aquatic-organisms-posed-human-pharmaceutical-use>

The recent USEPA/USGS collaboration on contaminants of emerging concern (CECs), which include pharmaceuticals, in drinking water sampled three municipalities that had ground water as their source of drinking water as part of the 25 locations that were monitored (see attachment). All three had measurable concentrations of CECs in their source water and treated drinking water. They tended to be on the lower end of the study, in terms of the number of detections and concentrations, but they were equivalent to some surface water locations also studied.

A more recent USEPA/USGS collaboration is focused on groundwater in a location switching from onsite septic systems to community wastewater treatment. The preliminary data have found the concentrations of several pharmaceuticals within an order of magnitude (a factor of 10) below the concentrations in wastewater treatment

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/6/2018 7:57:26 PM  
**To:** Emma Marris [e.marris@gmail.com]  
**CC:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Wildfire Smoke Inquiry for EPA

Fantastic. Thank you, Emma.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

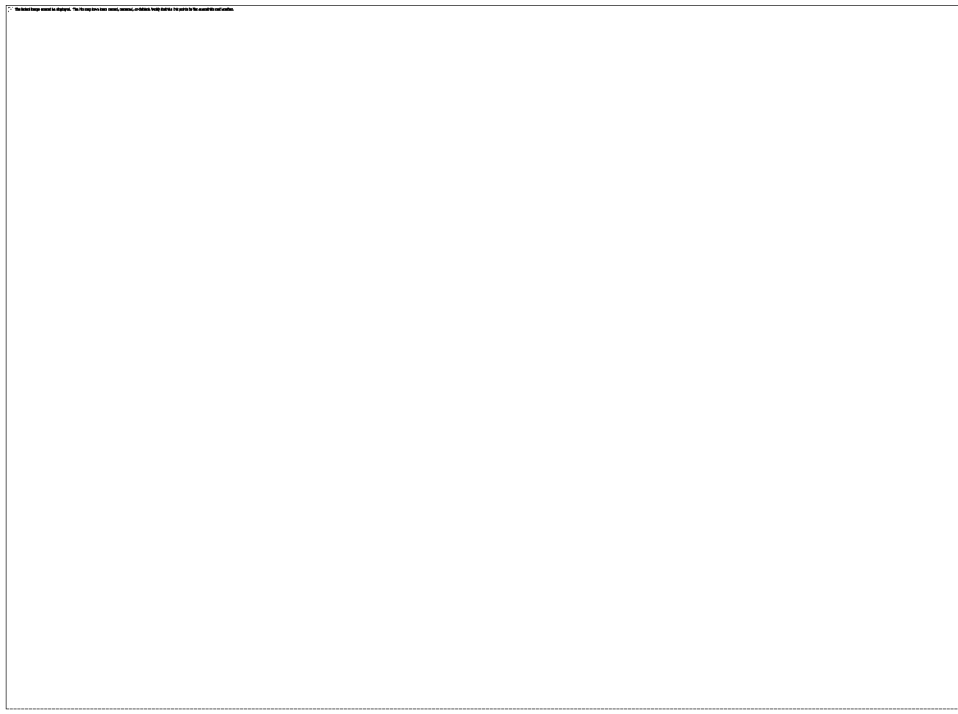
**From:** Emma Marris [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Monday, August 06, 2018 3:50 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>  
**Subject:** Re: Wildfire Smoke Inquiry for EPA

Thanks so much for your help. Here's the story: <https://www.theguardian.com/world/2018/aug/06/wildfires-west-oregon-california-smoke>

On Mon, Aug 6, 2018 at 7:07 AM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Emma, for attribution to U.S. EPA, please:





The data behind the chart — the uptick is 2 percent on the PM2.5 annual standard, 5 percent on the 24-hour standard, and 4 percent on the PM10 standard.

2016	-35	-45	-66
2017	-33	-40	-62

**Note:** The uptick may be caused by wildfires.

**Re long-term effects for children,**

**please see the “Wildfire Guide for Public Health Officials” fact sheet, which addresses children in the section on sensitive groups. See Children, page 14, here: [https://www3.epa.gov/airnow/wildfire\\_may2016-revised.pdf](https://www3.epa.gov/airnow/wildfire_may2016-revised.pdf)**

**Also, please see the Science Matters Post:**

**<https://www.epa.gov/sciencematters/danger-wildland-fire-smoke-public-health>**

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Jones, Enesta

**Sent:** Sunday, August 05, 2018 9:42 PM

**To:** Emma Marris <Ex. 6 Personal Privacy (PP)>

**Cc:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>; Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Re: Wildfire Smoke Inquiry for EPA

Emma, it's not looking good for tonight. As I mentioned earlier, I'm out of the office tomorrow.

Should you not hear from me tonight (I'll be online a little while longer.), Robert Daguiard, who is acting for me and cc'ed here, will hopefully be in touch tomorrow with the agency's response.

On Aug 5, 2018, at 8:30 PM, Emma Marris <Ex. 6 Personal Privacy (PP)> wrote:

Not sure. I'll know in a few hours. Will send update.

Thanks,

Emma

On Sun, Aug 5, 2018 at 5:29 PM Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Nothing has been approved to send. Can you update your story tomorrow?

On Aug 5, 2018, at 4:33 PM, Emma Marris <Ex. 6 Personal Privacy (PP)> wrote:

Also, what does the EPA say about the long term risks of breathing in a lot of wildfire smoke? I have info from your fact sheet ([https://www3.epa.gov/airnow/smoke\\_fires/protecting-children-from-wildfire-smoke-and-ash.pdf](https://www3.epa.gov/airnow/smoke_fires/protecting-children-from-wildfire-smoke-and-ash.pdf)) about acute effects for kids but can we say much about longterm effects?

Thanks so much again,

Emma

On Sun, Aug 5, 2018 at 1:00 PM Emma Marris <Ex. 6 Personal Privacy (PP)> wrote:

Thank you so much! You guys are awesome.

On Sun, Aug 5, 2018 at 12:59 PM Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Emma, I just spoke to our subject matter experts and we should be able to get you something today since your deadline has moved up.

On Aug 5, 2018, at 3:34 PM, Emma Marris <Ex. 6 Personal Privacy (PP)> wrote:

Hello Enesta,

I just got a call from my editor and he is bumping up my deadline to today in a few hours! Obviously, I don't expect you to pull a bunch of complicated data, but if you have anything at all that is easy to just zap my way in the next few hours, I would be super grateful.

Best,

Emma

On Sun, Aug 5, 2018 Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Emma, we have your inquiry below. Do you have additional questions beyond the ones identified below? What's your hard deadline time on Monday?

Thanks,

Enesta

I've been asked to write a story for the Guardian about what it is like to be stuck inside due to wildfire smoke (with two bouncy kids). **I would love to include some data in the story about how frequent and widespread high smoke levels are--and whether they have been getting worse in the region. Do you have any way of quantifying how many people or households are affected by unhealthy levels of smoke each summer?** All I could find online was a graph for PM 2.5 more broadly, which is going down. But I have a hunch that PM2.5 due to wildfire is going up. I

am especially interested in quantifying how often it gets so high that people are stuck inside. I have a tight deadline on this: Monday.

--

@Emma Marris  
emmamarris.com  
1-443-794-3840

--

@Emma Marris  
emmamarris.com  
1-443-794-3840

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@Emma Marris  
emmamarris.com  
1-443-794-3840

--

@Emma Marris  
emmamarris.com  
1-443-794-3840

Message

---

**From:** Hewitt, James [hewitt.james@epa.gov]  
**Sent:** 7/17/2018 5:52:48 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: BNV (P. Rizzuto) - TSCA questions; deadline 11 a.m. tomorrow

Robert, good if not already approved by Molly.

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, July 17, 2018 12:10 PM  
**To:** Press <Press@epa.gov>  
**Subject:** RE: For Review: BNV (P. Rizzuto) - TSCA questions; deadline 11 a.m. tomorrow

OK to send?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, July 17, 2018 11:07 AM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: BNV (P. Rizzuto) - TSCA questions; deadline 11 a.m. tomorrow

SUMMARY: I suggest sending **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)** but the reporter has said she could take what we send her by the deadline.  
**OK TO SEND FOR ATTRIBUTION TO A SPOKERSPERSON? – Pat Rizzuto – BNV –**  
[prizzuto@bloombergenvironment.com](mailto:prizzuto@bloombergenvironment.com)

RESPONSE: **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

---

**From:** Rizzuto, Denise Pat [<mailto:prizzuto@bloombergenvironment.com>]

**Sent:** Monday, July 16, 2018 4:00 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** TSCA questions; deadline 11 a.m. tomorrow

- 1) Context: When EPA released its new chemicals framework, the agency said it would be a living document that would evolve.

Question: Is the agency planning changes to that framework?

- 2) Questions: If so, will the agency test those changes internally first? Announce the proposed changes and accept public comment? Take another approach?
- 3) Context: Among chemical manufacturers key concerns are the amount of time it takes to get EPA's approval for a new chemical; the amount of time it takes staff to reply to questions from companies about the agency's proposed conclusions; the (too many they say) number of reasonably foreseen scenarios the agency staff can imagine; and SNURs.

Questions stemming from those concerns:

- Are there new steps the agency is taking that will reduce the amount of time it takes the agency to review new chemicals?
  - Is the agency revising what can be considered "reasonably foreseen?" If so, how?
  - Does the agency think it should reduce SNURs? If so, why and how would it accomplish that. If not, what's that rationale?
- 4) Context: Recent "Certain New Chemical Substances; Receipt and Status Information" notices published in the Federal Register have Notice of Commencement dates that say a company began to make that chemical many years ago (see screenshot example beneath my question). I believe, under TSCA, a company is supposed to submit NOC within 30 days of being allowed to make a new chemical.

Questions: Are those companies in violation of TSCA?

- If so, will enforcement action be taken?
- If not, why not?
- Is the agency offering some kind of clemency for discoveries made during the inventory notification active/inactive process?

Two Screenshots follow:

## Table II— NOCs Received From 2/1/2018 to 2/28/2018

83 FR 26056

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P-07-0391	2/21/2018	10/25/2007	(S) Propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl-, polymer with dimethyl carbonate, 1,2-ethanediamine, 1,6-hexanediol, α-hydro-[infin]-hydroxypoly(oxy-1,4-butanediyl) and 1,1'-methylenebis[4-isocyanatocyclohexane]compd. With N,N-diethylethanamine.
P-07-0403	2/6/2018	5/1/2007	(G) Adipic carbamate.
P-07-0448	2/1/2018	10/16/2007	(G) Secondary Amine Adduct.
P-09-0124	2/20/2018	2/28/2011	(S) Methanone, (4-chlorophenyl) (4-hydroxyphenyl)-, Homopolymer.
P-12-0020	2/16/2018	1/28/2014	(S) Propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl-, polymer with 2,2-dimethyl-1,3-propanediol, 1,2-ethanediamine, 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane and 2-oxopropanone, comp. with N,N-diethylethanamine.
P-12-0034	2/16/2018	1/28/2014	(S) 2-Propenoic acid, 2-methyl-, polymer with butyl 2-propenoate, ethyl 2-propenoate, methyl 2-methyl-2-propenoate and 2-methyl-2-propenamide.
P-12-0172	2/2/2018	9/13/2012	(G) 1,4-Benzenedicarboxylic acid, polymer with hexanedioic acid, 1,6-hexanediol, 1,1'-methylenebis[4-isocyanatobenzene], and

\*\*\*\*\*

**Pat Rizzuto**  
Chemicals Reporter

**Bloomberg Environment**

(703) 341-3741  
[prizzuto@bloombergenvironment.com](mailto:prizzuto@bloombergenvironment.com)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 9/11/2019 3:21:12 PM  
**To:** Rikardy Tooge [rikardy.tooge@tvglobo.com.br]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Subject: [Request from Brazil] Pesticides in USA

Got it. Thanks.

Cheers, R.

Robert Daguillard  
Communications Officer (Detail)  
Office of Chemical Safety  
and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Rikardy Tooge <rikardy.tooge@tvglobo.com.br>  
**Sent:** Wednesday, September 11, 2019 11:20 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Subject: [Request from Brazil] Pesticides in USA

Good afternoon Robert

If you answer me this week it'll be perfect.

But I also can wait next week.

Kind regards,

--

**Rikardy Tooge**

Repórter — G1 Agro

**Ex. 6 Personal Privacy (PP)**

JORNALISMO  GLOBO

Rua Evandro Carlos de Andrade, 160 | M3, 1º andar  
Vila Cordeiro - São Paulo (SP)

---

**De:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Enviado:** quarta-feira, 11 de setembro de 2019 12:17  
**Para:** Rikardy Tooge <rikardy.tooge@tvglobo.com.br>  
**Cc:** Press <Press@epa.gov>  
**Assunto:** RE: Subject: [Request from Brazil] Pesticides in USA

Good afternoon Rikardy,

Thanks for reaching out. Are you on deadline?



Cheers, R.

Robert Daguillard  
Communications Officer (Detail)  
Office of Chemical Safety  
and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Rikardy Tooge <[rikardy.tooge@tvglobo.com.br](mailto:rikardy.tooge@tvglobo.com.br)>  
**Sent:** Wednesday, September 11, 2019 11:09 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Subject: [Request from Brazil] Pesticides in USA

Hello Robert

It's Rikardy again. I have another question about the pesticide use in US. Could you help my one more time?

In US how farmers can buy pesticides? Are they need a "prescription" – or something like that –for purchase the pesticide?

Kind regards,

--

**Rikardy Tooge**

Repórter — G1 Agro

Ex. 6 Personal Privacy (PP)

JORNALISMO  GLOBO

Rua Evandro Carios de Andrade, 160 | M3, 1º andar  
Vila Cordeiro - São Paulo (SP)

---

**De:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Enviado:** sexta-feira, 16 de agosto de 2019 18:18  
**Para:** Rikardy Tooge <[rikardy.tooge@tvglobo.com.br](mailto:rikardy.tooge@tvglobo.com.br)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Assunto:** Re: Subject: [Request from Brazil] Pesticides in USA

Our response is what we sent you.

Robert Daguillard  
Communications Officer (Detail)  
Office of Chemical Safety  
and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

On Aug 16, 2019, at 5:16 PM, Rikardy Tooge <[rikardy.tooge@tvglobo.com.br](mailto:rikardy.tooge@tvglobo.com.br)> wrote:

Thanks for the answers.

About the 'Response 2', is it possible to precisely which is the number of active ingredients registered in USA?

--

**Rikardy Tooge**

Repórter — G1 Agro

**Ex. 6 Personal Privacy (PP)**

<Outlook-cid\_e17519.png>

Rua Evandro Carlos de Andrade, 160 | M3, 1ª andar  
Vila Cordeiro - São Paulo (SP)

---

**De:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Enviado:** sexta-feira, 16 de agosto de 2019 18:10

**Para:** Rikardy Tooge <[rikardy.tooge@tvglobo.com.br](mailto:rikardy.tooge@tvglobo.com.br)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Assunto:** Re: Subject: [Request from Brazil] Pesticides in USA

Rikardy, for attribution to “an EPA Spokesperson,” please:

**Question 1:** I'm writing about the pesticides registrations in Brazil and compare that with EU and USA. One of the points of the story is which is the most used active substances in each place. I've saw informations about the most used active substances in 2012, but do you have more recent data about that?

**Response 1:** EPA's Pesticide Industry Sales and Usage report that came out in January 2017 and covers the period 2008-2012 is our most recent report.

**Question 2:** The last but not the least, I'd like to confirm the number of active substances for pesticides registered in USA. In the EPA's database I've the number is 508 active substances authorized in agriculture use, is that correct?

**Response 2:** There are roughly 500 active ingredients registered for agricultural use in the United States.

**Robert Daguiard**

**Communications Officer (Detail)**

**Office of Chemical Safety**

**and Pollution Prevention**

**U.S. Environmental Protection Agency**

**Washington, DC**

**+1 (202) 564-6618 (O)**

**Ex. 6 Personal Privacy (PP) [M]**

On Aug 8, 2019, at 11:17 AM, Rikardy Tooge <[rikardy.tooge@tvglobo.com.br](mailto:rikardy.tooge@tvglobo.com.br)> wrote:

My deadline is as soon as possible, but I can wait. This friday is that possible? If not, I'll wait for next week. I need these informations to finish my story.

Thanks for the answer.

Best regards,

--  
**Rikardy Tooge**

Repórter — G1 Agro

**Ex. 6 Personal Privacy (PP)**

<Outlook-cid\_e17519.png>

Rua Evandro Carlos de Andrade, 160 | M3, 1º andar

Vila Cordeiro - São Paulo (SP)

---

**De:** Daguiard, Robert <Daguiard.Robert@epa.gov>

**Enviado:** quinta-feira, 8 de agosto de 2019 12:11

**Para:** Rikardy Tooge <rikardy.tooge@tvglobo.com.br>

**Cc:** Press <Press@epa.gov>

**Assunto:** Subject: [Request from Brazil] Pesticides in USA

Good morning and thanks for reaching out,

Are you on deadline?

Cheers, R.

Robert Daguiard

Communications Officer (Detail)

Office of Chemical Safety

and Pollution Prevention

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

**Ex. 6 Personal Privacy (PP)** (M)

**Resent-From:** <Press@epa.gov>

**From:** Rikardy Tooge <rikardy.tooge@tvglobo.com.br>

**Date:** August 8, 2019 at 10:25:25 AM EDT

**To:** Press <Press@epa.gov>

**Subject:** [Request from Brazil] Pesticides in USA

My name is Rikardy and I'm a agriculture reporter for G1, the major Brazilian news website.

First of all, Sorry for my English knowledge.

I'm writting about the pesticides registrations in Brazil and compare that with EU and USA. One of the point of the story is wich is the most used active substances in each place. I've saw informations about the most used active substances in 2012, but have you the recently data about that?

The last but not the least, I'd like to confirm the number of active substances for pesticides registered in USA. In the EPA's database I've the number is 508 active substances autorized in agriculture use, is that correct?

Looking forward to hear from you soon.

Kind regards,

--

**Rikardy Tooge**

Repórter — G1 Agro

**Ex. 6 Personal Privacy (PP)**

<Outlook-cid\_e17519.png>

Rua Evandro Carlos de Andrade, 160 | M3, 1ª andar

Vila Cordeiro - São Paulo (SP)

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\*\*\*\*\*

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 9/11/2019 3:17:30 PM  
**To:** Rikardy Tooge [rikardy.tooge@tvglobo.com.br]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Subject: [Request from Brazil] Pesticides in USA

Good afternoon Rikardy,

Thanks for reaching out. Are you on deadline?

Cheers, R.

Robert Daguillard  
Communications Officer (Detail)  
Office of Chemical Safety  
and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Rikardy Tooge <rikardy.tooge@tvglobo.com.br>  
**Sent:** Wednesday, September 11, 2019 11:09 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Subject: [Request from Brazil] Pesticides in USA

Hello Robert

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In US how farmers can buy pesticides? Are they need a "prescription" – or something like that –for purchase the pesticide?

Kind regards,

--

**Rikardy Tooge**

Repórter — G1 Agro

**Ex. 6 Personal Privacy (PP)**

JORNALISMO  GLOBO

Rua Evandro Carlos de Andrade, 160 | M3, 1º andar  
Vila Cordeiro - São Paulo (SP)

---

**De:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Enviado:** sexta-feira, 16 de agosto de 2019 18:18  
**Para:** Rikardy Tooge <rikardy.tooge@tvglobo.com.br>  
**Cc:** Press <Press@epa.gov>  
**Assunto:** Re: Subject: [Request from Brazil] Pesticides in USA

Our response is what we sent you.

**Robert Daguillard**  
**Communications Officer (Detail)**  
**Office of Chemical Safety**  
**and Pollution Prevention**  
**U.S. Environmental Protection Agency**  
**Washington, DC**  
**+1 (202) 564-6618 (O)**  
**Ex. 6 Personal Privacy (PP) (M)**

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**Rikardy Tooge**

Repórter — G1 Agro

**Ex. 6 Personal Privacy (PP)**

<Outlook-cid\_e17519.png>

Rua Evandro Carlos de Andrade, 160 | M3, 1º andar  
Vila Cordeiro - São Paulo (SP)

---

**De:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Enviado:** sexta-feira, 16 de agosto de 2019 18:10

**Para:** Rikardy Tooge <[rikardy.tooge@tvglobo.com.br](mailto:rikardy.tooge@tvglobo.com.br)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Assunto:** Re: Subject: [Request from Brazil] Pesticides in USA

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**Response 2:** There are roughly 500 active ingredients registered for agricultural use in the United States.

**Robert Daguillard**  
**Communications Officer (Detail)**  
**Office of Chemical Safety**  
**and Pollution Prevention**  
**U.S. Environmental Protection Agency**  
**Washington, DC**

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

On Aug 8, 2019, at 11:17 AM, Rikardy Tooge <[rikardy.tooge@tvglobo.com.br](mailto:rikardy.tooge@tvglobo.com.br)> wrote:

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Thanks for the answer.

Best regards,

--

**Rikardy Tooge**

Repórter — G1 Agro

Ex. 6 Personal Privacy (PP)

<Outlook-cid\_e17519.png>

Rua Evandro Carlos de Andrade, 160 | M3, 1º andar

Vila Cordeiro - São Paulo (SP)

---

**De:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Enviado:** quinta-feira, 8 de agosto de 2019 12:11

**Para:** Rikardy Tooge <[rikardy.tooge@tvglobo.com.br](mailto:rikardy.tooge@tvglobo.com.br)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Assunto:** Subject: [Request from Brazil] Pesticides in USA

Good morning and thanks for reaching out,

Are you on deadline?

Cheers, R.

Robert Daguiard  
Communications Officer (Detail)  
Office of Chemical Safety  
and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**Resent-From:** <[Press@epa.gov](mailto:Press@epa.gov)>

**From:** Rikardy Tooge <[rikardy.tooge@tvglobo.com.br](mailto:rikardy.tooge@tvglobo.com.br)>

**Date:** August 8, 2019 at 10:25:25 AM EDT

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** [Request from Brazil] Pesticides in USA

My name is Rikardy and I'm a agriculture reporter for G1, the major Brazilian news website.

First of all, Sorry for my English knowledge.

I'm writting about the pesticides registrations in Brazil and compare that with EU and USA. One of the point of the story is wich is the most used active substances in each place. I've saw informations about the most used active substances in 2012, but have you the recently data about that?

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Looking forward to hear from you soon.

Kind regards,

--

**Rikardy Tooge**

Repórter — G1 Agro

**Ex. 6 Personal Privacy (PP)**

<Outlook-cid\_e17519.png>

Rua Evandro Carlos de Andrade, 160 | M3, 1º andar  
Vila Cordeiro - São Paulo (SP)

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\*\*\*\*\*



Message

---

**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 9/10/2019 2:57:45 PM  
**To:** Press [Press@epa.gov]  
**Subject:** Fwd: Press Inquiry: Speak to someone about storm/flood clean up?

With ORIA.

**From:** Haniya Rae <haniya.rae@consumer.org>  
**Date:** September 10, 2019 at 10:37:01 AM EDT  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Press Inquiry: Speak to someone about storm/flood clean up?

Hello Enesta,

Before 4pm EST today, if possible. Let me know if another agency might be better at answering, though.

Here are the questions:

What do you do first if you smell gas or see downed powerlines near your home?

Are shovels the best way to remove debris from your home? Where should debris be piled up?

If you have a dehumidifier (or multiple dehumidifiers), where should it be placed?

How long should you keep an airflow through a house if you're trying to dry it out? Is there a magic number or moisture level?

If objects/surfaces in your home feel dry after a flood, should you just assume that they could still harbor mold?

If you have to remove drywall, how long should you leave your walls open and allow to dry? Is there an indoor moisture level recommended?

How soon can you replace vinyl, carpet, furniture, and other surfaces?

Is there any certification that people should look for if a contractor offers their services for mold cleanup? (ie: how do people know whether they're being scammed?)

On Tue, Sep 10, 2019 at 9:47 AM Jones, Enesta <Jones.Enesta@epa.gov> wrote:  
Hello Haniya,

Our indoor air office should be able to assist. Can you please send your specific questions and hard deadline?

On Sep 10, 2019, at 9:46 AM, Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)> wrote:

Hello,

We're working on a story about cleaning up your home after a flood. I was wondering if I could speak to an expert for attribution who can talk about mold and cleanup. I'd need to speak to someone before EOD. Thanks!

--

Haniya Rae  
Associate Content Manager, Home & Appliance  
Consumer Reports Magazine  
101 Truman Avenue, Yonkers, NY 10703  
O: 914 378 2012  
M: Ex. 6 Personal Privacy (PP)  
[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)

\*\*\*

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\*\*\*

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Haniya Rae  
Associate Content Manager, Home & Appliance  
Consumer Reports Magazine  
101 Truman Avenue, Yonkers, NY 10703  
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Message


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**From:** Haniya Rae [haniya.rae@consumer.org]  
**Sent:** 9/10/2019 1:45:30 PM  
**To:** Press [Press@epa.gov]  
**Subject:** Press Inquiry: Speak to someone about storm/flood clean up?

Hello,

We're working on a story about cleaning up your home after a flood. I was wondering if I could speak to an expert for attribution who can talk about mold and cleanup. I'd need to speak to someone before EOD. Thanks!

--

Haniya Rae  
Associate Content Manager, Home & Appliance  
Consumer Reports Magazine  
101 Truman Avenue, Yonkers, NY 10703  
O: 914 378 2012  
M:   
[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)



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Message

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**From:** Julie Halpert [Ex. 6 Personal Privacy (PP)]  
**Sent:** 9/14/2018 12:15:33 PM  
**To:** Birgfeld, Erin [Birgfeld.Erin@epa.gov]  
**CC:** Brusstar, Matt [brusstar.matt@epa.gov]; Mylan, Christopher [Mylan.Christopher@epa.gov]; Fowlkes, Sarah [fowlkes.sarah@epa.gov]; Haugen, David [haugen.david@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** Re: SEJ tour Logistics and Detail for Oct. 4

Thanks, Erin. I've passed this on to the SEJ tour coordinators. My cell is [Ex. 6 Personal Privacy (PP)] Roger's is [Ex. 6 Personal Privacy (PP)]  
[Ex. 6 Personal Privacy (PP)] Jim's is [Ex. 6 Personal Privacy (PP)]  
Julie

On September 14, 2018 at 8:01 AM "Birgfeld, Erin" <Birgfeld.Erin@epa.gov> wrote:

Dear Julie,

Thanks for a good meeting yesterday. I spoke with our security folks and they are recommending that the bus does go to the Lab entrance on Plymouth road. As long as we have a list of attendees one week in advance they will be able to check IDs of everyone while they are on the bus, and then they won't have to check IDs again once they are on the inside.

Below is a list of everything that we have discussed to date so we have it in one place.

Please send me your cell number so we can be in contact on the day of the event in case we need to coordinate. Mine is at the bottom of this email.

Let me know if I've missed anything. We are looking forward to hosting you.

Best regards,  
Erin

#### Security and Logistics

- To streamline security we will need to have a full list of attendees by Sept. 27 (one week ahead of the tour). You can send this list to me and I'll coordinate with security.
- ***International visitors must provide all the required information to EPA by Sept. 20 (two weeks before the tour).*** EPA will send this information to the Department of Homeland Security for screening. Please send the completed spreadsheet with international participants' information to me by Sept. 20<sup>th</sup>. I've re-attached the spreadsheet for easy reference.
- The bus should go to the NVFEL lab entrance at 2565 Plymouth Road. Security will check IDs while the participants are on the bus. Visitors will not need to show their IDs again when they enter the building.
- Everyone on the tour must be signed up and must bring a government issued ID such as a drivers' license or passport. ***Note that the bus driver will also need his or her ID to get through the check point – this has been a problem in the past!***
- International visitors must bring their passport as ID.

- Attendees who don't have the required ID will, unfortunately, be denied entry.
- Upon entry to the building everyone must go through a security check which includes going through a magnetometer and a bag screening. ***To save time, please encourage people to travel light and leave bags on the bus!***
- No weapons are allowed in the facility, and that includes pocket knives.

### Photos and Audio Recordings

- EPA will provide stock photos of key attributes of the laboratory including the emission test cells, Portable Emissions Monitors, and the Heavy Duty Dynamometers. [Julie – let's talk what is the best way to provide this? These will be large files...]
- In general, photography is prohibited in the lab to protect potential confidential information. However, the tour leader will point out a few places where photographs can be taken.
- Unfortunately, we won't be able to allow audio recording in the lab for this tour.

### Other Ground Rules

- Dr. David Haugen is the Director of the Laboratory will be giving the tour. Everything that he says can be used on background in the reporters stories.
- At the end of the tour Byron Bunker, Director of the Compliance Division will be available for about 20 minutes to answer questions on the record and for attribution.

### Agenda and Timing

- 2:15/2:30 pm Bus Arrives
- 2:30 pm - 2:45 pm Attendees go through security
- 2:45 pm – 3:45/4:00 pm Lab tour

### Lab Tour Overview

- Brief (5-7 min) stand-up overview of NVFEL, including history of the lab and the scope of our testing mission. Include a bit of history on the CAFÉ standards over time.
- Car\SUV\pick-up vehicle testing area: learn how cars are emissions & fuel economy tested and how the test results impact the environment and the auto industry (this show and tell includes both advance tech cars on display and vehicles being testing on chassis dynos, cold & hot). Attendees will learn about:
  - How emissions and fuel economy testing is performed, changes we've made to car\SUV testing post VW and why.
  - How changes in car technology, both recent (EVs, hybrids, advanced techs) and around-the-corner (advanced safety systems, autonomous vehicles, shared mobility) could affect the environment.
  - Our testing preparations for these future cars - less laboratory-centric, adding real-world operations - to keep pace with future transportation.
- Heavy-duty truck emissions testing, how it is changing, and why emissions from on-highway trucks and buses increasingly matter.

- This will include a “behind the curtain” look at our unique\really big heavy duty dynamometer and other heavy duty testing equipment.

## Contact Information

Press Questions and Follow Up: [press@epa.gov](mailto:press@epa.gov)

Molly Block, EPA Press Secretary

Work cell: Ex. 6 Personal Privacy (PP)

Email: [block.molly@epa.gov](mailto:block.molly@epa.gov)

For Logistical and Organization Issues:

Erin Birgfeld, Communications Director, Office of Transportation and Air Quality

Ex. 6 Personal Privacy (PP) (work cell) / Ex. 6 Personal Privacy (PP) (personal cell as backup)

Email: [Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)

Erin Birgfeld

Communications Director

Office of Transportation and Air Quality

U.S. EPA

202-564-6741 (work)

Ex. 6 Personal Privacy (PP) (cell)

Message

---

**From:** Birgfeld, Erin [Birgfeld.Erin@epa.gov]  
**Sent:** 9/14/2018 12:01:31 PM  
**To:** Julie Halpert [Ex. 6 Personal Privacy (PP)]  
**CC:** Brusstar, Matt [brusstar.matt@epa.gov]; Haugen, David [haugen.david@epa.gov]; Block, Molly [block.molly@epa.gov]; Mylan, Christopher [Mylan.Christopher@epa.gov]; Fowlkes, Sarah [fowlkes.sarah@epa.gov]  
**Subject:** SEJ tour Logistics and Detail for Oct. 4  
**Attachments:** foreign-visitors-information-template.xls

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  - How emissions and fuel economy testing is performed, changes we've made to car\SUV testing post VW and why.
  - How changes in car technology, both recent (EVs, hybrids, advanced techs) and around-the-corner (advanced safety systems, autonomous vehicles, shared mobility) could affect the environment.
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Molly Block, EPA Press Secretary

Work cell: [Ex. 6 Personal Privacy (PP)]

Email: [block.molly@epa.gov](mailto:block.molly@epa.gov)



For Logistical and Organization Issues:

Erin Birgfeld, Communications Director, Office of Transportation and Air Quality

Ex. 6 Personal Privacy (PP) (work cell) / Ex. 6 Personal Privacy (PP) (personal cell as backup)

Email: [Birgfeld.erin@epa.gov](mailto:Birgfeld.erin@epa.gov)

Erin Birgfeld

Communications Director

Office of Transportation and Air Quality

U.S. EPA

202-564-6741 (work)

Ex. 6 Personal Privacy (PP) (cell)

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 7/18/2018 6:56:45 PM  
**To:** Bunge, Jacob [jacob.bunge@wsj.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Query re: dicamba registration, from Wall Street Journal

Good afternoon Jacob,

For attribution to “an EPA Spokesperson,” please:

**Q1 Follow Up.** So have EPA officials participated in investigating any such incidents this year? How many? In which states? And how many cases were EPA officials directly involved in investigating last year? What are the conclusions so far as to the main causes of crop damage? And in general, how many of your folks are working on this?

**R1.** As mentioned in our previous response, generally, states have primacy for compliance monitoring and enforcing pesticide regulations. (See more information in Background below). However, EPA officials in headquarters and regional offices are participating in and supporting investigations across various states. We cannot comment on ongoing enforcement matters.

EPA is still receiving dicamba incident reports from the states and others, in order to conduct its analysis of the main causes of crop damage. EPA will continue to collect data through the end of the 2018 growing season. For more information on last year’s incidents see this 2017, presentation to the Pesticide Program Dialogue Committee : [www.epa.gov/sites/production/files/2017-11/documents/ppdc-dicamba-overview-update-nov-1-2017.pdf](http://www.epa.gov/sites/production/files/2017-11/documents/ppdc-dicamba-overview-update-nov-1-2017.pdf).

**Q2 Follow Up.** What sort of information is EPA getting from the producers, state officials, extension experts? Are there some specific examples, like photos of alleged crop damage, or climate conditions in which damage/drift was alleged to have occurred? What information/data are you getting from the pesticide and seed manufacturers?

**R2.** EPA is receiving multiple forms of information from multiple sources including, the Association of American Pesticide Control Officials, which is surveying states to gather information related to dicamba use and caseloads. To see examples of the data collected, please visit: <https://aapco.org/2015/07/02/dicamba/>.

**Q4 Follow Up.** What are some examples or parameters or data will EPA consider in its decision on whether to extend the product registrations?

**R4.** Available information may include state narrative feedback, grower experiences, incident and acre damage reporting, regulatory compliance review, data from USDA, commodity experts and others. EPA is seeking feedback from all impacted parties.

**Q6 Follow Up.** How will the criminal investigations into potentially illicit dicamba applications play into the decision on whether or not to re-register the products?

**R6.** Please contact the U.S. Attorney’s Office for the Eastern District of Missouri.

### **Background**

To elaborate on our previous response, under certain circumstances, FIFRA conveys primary enforcement responsibility for use violations to the states. Where a state has primacy, use investigations are generally conducted under state law. Each state has a lead agency (often the state department of agriculture) with primary responsibility for investigating incidents involving pesticide use of pesticides.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Bunge, Jacob [mailto:jacob.bunge@wsj.com]  
**Sent:** Wednesday, July 18, 2018 11:07 AM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Subject:** Re: Query re: dicamba registration, from Wall Street Journal

Enesta, any further read on this?

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  

Ex. 6 Personal Privacy (PP)

 (mobile)  
[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)  
@jacobbunge

On Fri, Jul 13, 2018 at 8:30 AM, Bunge, Jacob <[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)> wrote:

Alright, thanks

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  

Ex. 6 Personal Privacy (PP)

 (mobile)  
[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)  
@jacobbunge

On Fri, Jul 13, 2018 at 7:46 AM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Jacob, circling back with you on this. We will need until next week, maybe until the week of 7/23. We're doing our best and will certainly keep you posted. Thanks for your patience.

On Jul 9, 2018, at 11:22 AM, Bunge, Jacob <[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)> wrote:

Enesta, thanks for your note the other day, any read on this?  
-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL

312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)  
@jacobbunge

On Thu, Jul 5, 2018 at 9:33 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Jacob, reaching out to let you know I'm covering for Robert until 7/13. Your follow-up, as you know, is already in the pipeline. I'll get you something when it's ready. Don't hesitate to contact me if you need anything further.

Have a good night.

On Jun 28, 2018, at 2:45 PM, Bunge, Jacob <[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)> wrote:

Robert, thanks, and please see some follow-up questions below. I'm around this afternoon to discuss further: 312 750 4117

Thanks,  
Jacob

**1. Is EPA continuing to investigate reports of crop damage from drift/volatility this year, and speaking with farmers as part of this? Or is the agency mainly relying on state ag officials and extension researchers for an on-the-ground picture in the affected regions?**

Generally, states have primacy for compliance monitoring and enforcing pesticide regulations. Nevertheless, EPA and the states are both focused on this use and will promptly investigate any reported incidents to help us understand the causes and prevent them in the future.

So have EPA officials participated in investigating any such incidents this year? How many? In which states? And how many cases were EPA officials directly involved in investigating last year? What are the conclusions so far as to the main causes of crop damage? And in general, how many of your folks are working on this?

**2. How is EPA measuring or tracking the results of the registrants' efforts to train farmers and applicators, and distribute equipment like nozzles that are supposed to reduce drift? What data are the companies providing to EPA? (They've talked to us a bit about how they are sharing their findings but it's not clear whether this information's being relayed to EPA uniformly from all the registrants, or if it's primarily coming from Monsanto)**

EPA is working with state lead agencies in affected states through the Association of American Pesticide Control Officials to monitor the implementation and use of the new labels. Applicators involved in the application of the three products registered for over-the-top use on soybean and/or cotton are required to complete training designed to ensure safe use of these pesticides. Some states required that applicators take the state's own training in lieu of the registrant training. EPA is also working closely with and obtaining information from producers, agriculture professionals, state officials, and university extension experts.

What sort of information is EPA getting from the producers, state officials, extension experts? Are there some specific examples, like photos of alleged crop damage, or climate conditions in which damage/drift was alleged to have occurred? What information/data are you getting from the pesticide and seed manufacturers?

**3. Is the EPA also seeking information from farmers/researchers/agricultural companies in Arkansas, where dicamba's prohibited for in-season application this year?**

Yes, EPA is in regular contact with farmers, researchers, and agricultural companies to remain informed of any dicamba issues occurring in the 2018 growing season, including those from Arkansas.

**4. What parameters or data will EPA consider in its decision on whether to extend the product registrations?**

EPA will consider all available information in its decision-making process regarding the upcoming regulatory decision for the dicamba products.

What are some examples?

**5. Does EPA plan to register these products for another two years, or for a longer time period?**

We have not yet made a regulatory decision. Our goal is to make a regulatory decision in time to inform seed and weed management purchase decisions for the 2019 growing season.

**6. Does the EPA continue to pursue a criminal investigation into potentially illicit dicamba applications? If so, how is this informing the decision on whether or not to renew or extend the dicamba product registrations?** (Investigation and search warrants referenced here: <https://www.bradley.com/insights/publications/2016/10/us-environmental-protection-agency-opens-criminal-investigation-into-herbicide-spraying>).

Please contact the U.S. Attorney's Office for the Eastern District of Missouri.

How will these play into the decision on whether or not to re-register the products?

**7. By when does EPA expect to make a decision, given registration runs up in November?**

Our goal is to make a regulatory decision in time to inform seed and weed management purchase decisions for the 2019 growing season.

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)  
[@jacobbunge](#)

On Thu, Jun 28, 2018 at 12:53 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Jacob, on background, please:

**Incoming:** Robert, to follow up -- we've been talking with farmers, extension researchers, seed companies and state ag department officials off an on regarding dicamba application, as well as this year's ramp-up in 2,4-D traited acreage in corn. We're monitoring the crop-damage reports across the various farm states and talking to the dicamba registrants about their efforts to mitigate this, as well as what the farmers and extension folks are seeing, and getting a read on how EPA's looking at this in advance of the decision to extend the product registrations later this year. So I wanted to make sure we're getting a full picture there of how the agency's approaching this. Here are Q's.

**1. Is EPA continuing to investigate reports of crop damage from drift/volatility this year, and speaking with farmers as part of this? Or is the agency mainly relying on state ag officials and extension researchers for an on-the-ground picture in the affected regions?**

Generally, states have primacy for compliance monitoring and enforcing pesticide regulations. Nevertheless, EPA and the states are both focused on this use and will promptly investigate any reported incidents to help us understand the causes and prevent them in the future.

2. **How is EPA measuring or tracking the results of the registrants' efforts to train farmers and applicators, and distribute equipment like nozzles that are supposed to reduce drift? What data are the companies providing to EPA? (They've talked to us a bit about how they are sharing their findings but it's not clear whether this information's being relayed to EPA uniformly from all the registrants, or if it's primarily coming from Monsanto)**

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EPA will consider all available information in its decision-making process regarding the upcoming regulatory decision for the dicamba products.

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6. **Does the EPA continue to pursue a criminal investigation into potentially illicit dicamba applications? If so, how is this informing the decision on whether or not to renew or extend the dicamba product registrations?** (Investigation and search warrants referenced here: <https://www.bradley.com/insights/publications/2016/10/us-environmental-protection-agency-opens-criminal-investigation-into-herbicide-spraying>).

Please contact the U.S. Attorney's Office for the Eastern District of Missouri.

7. **By when does EPA expect to make a decision, given registration runs up in November?**

Our goal is to make a regulatory decision in time to inform seed and weed management purchase decisions for the 2019 growing season.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob [mailto:[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)]

**Sent:** Wednesday, June 20, 2018 4:28 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Query re: dicamba registration, from Wall Street Journal

Robert, to follow up -- we've been talking with farmers, extension researchers, seed companies and state ag department officials off an on regarding dicamba application, as well as this year's ramp-up in 2,4-D traited acreage in corn. We're monitoring the crop-damage reports across the various farm states and talking to the dicamba registrants about their efforts to mitigate this, as well as what the farmers and extension folks are seeing, and getting a read on how EPA's looking at this in advance of the decision to extend the product registrations later this year. So I wanted to make sure we're getting a full picture there of how the agency's approaching this.

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-What parameters or data will EPA consider in its decision on whether to extend the product registrations?

-Does EPA plan to register these products for another two years, or for a longer time period?

-Does the EPA continue to pursue a criminal investigation into potentially illicit dicamba applications? If so, how is this informing the decision on whether or not to renew or extend the dicamba product registrations? (Investigation and search warrants referenced here: <https://www.bradley.com/insights/publications/2016/10/us-environmental-protection-agency-opens-criminal-investigation-into-herbicide-spraying>)

-by when does EPA expect to make a decision, given registration runs up in November?

I'll let you know any further queries -- thanks.

-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  

Ex. 6 Personal Privacy (PP)

(mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Wed, Jun 20, 2018 at 11:12 AM, Bunge, Jacob <[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)> wrote:

Robert, did I miss your call earlier?

-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  

Ex. 6 Personal Privacy (PP)

(mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Tue, Jun 19, 2018 at 7:28 PM, Jacob Bunge <[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)> wrote:

Yes, that's fine. Thanks—



Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)

@jacobbunge

On Jun 19, 2018, at 7:24 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good evening Jacob,

Thank you for reaching out and sorry for the late acknowledgement. I'll call you first thing in the morning if OK.

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Jun 18, 2018, at 12:35 PM, Bunge, Jacob <[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)> wrote:

Hello Robert, this is Jacob Bunge at the Wall Street Journal out in Chicago, I hope you had a nice weekend. We've been speaking here to some of the folks at the seed/pesticide companies about dicamba, as acreage of the traited seed has been expected to roughly double this year, and the continued concerns over crop damage, etc.

One point that's come up is that EPA is reviewing/investigating farmers' use of the product in advance of its registration being up for renewal by November of this year, I believe. It sounds like EPA's been asking questions of farmers who've reported crop damage as well as those who've been applying dicamba, and also talking to registrants (mainly Monsanto, they say) about efforts to mitigate volatility and misapplication.

We're following this as the growing season progresses, but wanted to see if it'd be possible to talk with your folks over the next week or two and get a sense of how they're looking at all of this, so if we do a story and refer to the EPA's efforts to weigh all these factors in advance of the re-registration, we can be comprehensive and up to date with it. Let me know and feel free to give me a call if you want to discuss further, I'm at the office number below and around all this week.

Thanks,

Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312.750.4117 (office)  
Ex. 6 Personal Privacy (PP) mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

Message

---

**From:** Konkus, John [konkus.john@epa.gov]  
**Sent:** 6/20/2018 1:11:49 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** RE: FOR APPROVAL: Farm World -- Hardship Waiver Question

Then we can send it. Thanks.

---

**From:** Block, Molly  
**Sent:** Wednesday, June 20, 2018 9:11 AM  
**To:** Konkus, John <konkus.john@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: FOR APPROVAL: Farm World -- Hardship Waiver Question

Yes, this has been cleared through both Mandy and Schwab.

Sent from my iPhone

On Jun 20, 2018, at 9:07 AM, Konkus, John <konkus.john@epa.gov> wrote:

Is Mandy good w/ this?

---

**From:** Block, Molly  
**Sent:** Wednesday, June 20, 2018 8:59 AM  
**To:** Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** FOR APPROVAL: Farm World -- Hardship Waiver Question

## Ex. 5 Deliberative Process (DP)

Additional background (not for attribution):

- 
- **Ex. 5 Deliberative Process (DP)**

## . Ex. 5 Deliberative Process (DP)

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**From:** Daguillard, Robert  
**Sent:** Wednesday, June 20, 2018 8:25 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** FW: Farm World -- Hardship Waiver Question

Third Floor, will you handle, or should I work with the program?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**From:** [jnstrickler@protonmail.com](mailto:jnstrickler@protonmail.com) [<mailto:jnstrickler@protonmail.com>]  
**Sent:** Tuesday, June 19, 2018 11:46 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Farm World -- Hardship Waiver Question

Hi Mr. Daguillard,

My name is Jordan Strickler and I am a freelance writer for Farm World News. I have been covering the RFS hardship waiver news for our paper recently and just had a couple of questions, I was hoping I could have answered.

The first is, what is the formula for deciding a "hardship"? If there is none currently, do you think that there might be a standard in the future? The second is what do you think the chances are that the EPA would allow E-15 year round.

Any help with one or both of those questions would be greatly appreciated.

Thanks!

Jordan Strickler  
859-229-9699  
[jnstrickler@protonmail.com](mailto:jnstrickler@protonmail.com)

Message

**From:** Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]  
**Sent:** 6/20/2018 12:48:01 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Schwab, Justin [Schwab.Justin@epa.gov]; Dominguez, Alexander [dominguez.alexander@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** Re: FOR REVIEW: Farm World -- Hardship Waiver Question

Tell him **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

I updated Lincoln's earlier statement:

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jun 20, 2018, at 8:42 AM, Block, Molly <block.molly@epa.gov> wrote:

Thanks! I made those two edits and **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

**From:** Schwab, Justin  
**Sent:** Wednesday, June 20, 2018 8:35 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: FOR REVIEW: Farm World -- Hardship Waiver Question

I'd change **Ex. 5 Deliberative Process (DP)**

And I'd change **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jun 20, 2018, at 8:29 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Thoughts on the following response? I've pared down something we've used before. In

**Ex. 5 Deliberative Process (DP)**

? Thanks all!

## Ex. 5 Deliberative Process (DP)

Additional background (not for attribution):

- 

- 

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## Ex. 5 Deliberative Process (DP)

**From:** [jnstrickler@protonmail.com](mailto:jnstrickler@protonmail.com) [<mailto:jnstrickler@protonmail.com>]

**Sent:** Tuesday, June 19, 2018 11:46 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Farm World -- Hardship Waiver Question

Hi Mr. Daguillard,

My name is Jordan Strickler and I am a freelance writer for Farm World News. I have been covering the RFS hardship waiver news for our paper recently and just had a couple of questions, I was hoping I could have answered.

The first is, what is the formula for deciding a "hardship"? If there is none currently, do you think that there might be a standard in the future? The second is what do you think the chances are that the EPA would allow E-15 year round.

Any help with one or both of those questions would be greatly appreciated.

Thanks!

Jordan Strickler

859-229-9699

[jnstrickler@protonmail.com](mailto:jnstrickler@protonmail.com)

Message

---

**From:** Konkus, John [konkus.john@epa.gov]  
**Sent:** 6/20/2018 11:48:50 AM  
**To:** Grantham, Nancy [Grantham.Nancy@epa.gov]  
**CC:** Block, Molly [block.molly@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]  
**Subject:** Re: ATSDR statement to PADs

Very good. Thank you.

On Jun 20, 2018, at 7:09 AM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

John,

Please see the note below that I propose to send to the PADs once we know that the ATSDR PFAS document has been released.

Please let me know if you have any comments/suggested edits.

Thanks ng

Regional PADs,

## Ex. 5 Deliberative Process (DP)



# **Ex. 5 Deliberative Process (DP)**

John Konkus  
Environmental Protection Agency  
Deputy Associate Administrator for Public Affairs  
Mobile: Ex. 6 Personal Privacy (PP)

Message

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**From:** Birgfeld, Erin [Birgfeld.Erin@epa.gov]  
**Sent:** 9/13/2018 7:05:54 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**Subject:** Note to Julie re: SEJ tour

Hi Molly,

Here is a draft note to Julie as follow up. The highlighted yellow portions are parts that I want to ask our security folks about to confirm. Please edit as you see fit and add any contact info you'd like to for yourself at the bottom.

Thanks!

-Erin

---

Dear Julie,

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

## Contact Information

Press Questions and Follow Up:  
Molly Block, EPA Deputy Press Secretary

Work cell:

Email:

For Logistical and Organization Issues:

Erin Birgfeld, Communications Director, Office of Transportation and Air Quality

Ex. 6 Personal Privacy (PP) (work cell) / Ex. 6 Personal Privacy (PP) (personal cell as backup)

Email: Birgfeld.erin@epa.gov

Erin Birgfeld

Communications Director

Office of Transportation and Air Quality

U.S. EPA

202-564-6741 (work)

Ex. 6 Personal Privacy (PP) (cell)

Message

---

**From:** Gordon, Meghan [meghan.gordon@spglobal.com]  
**Sent:** 5/24/2018 6:29:50 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Block, Molly [block.molly@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Small refinery waivers

Has EPA approved more than the 25 waivers previously stated?

Thanks,  
Meghan

---

**From:** Gordon, Meghan  
**Sent:** Wednesday, May 23, 2018 11:12 AM  
**To:** Daguillard, Robert  
**Cc:** Block, Molly; Press  
**Subject:** RE: Small refinery waivers

Checking back – we'd like to update these #s today if possible. Thanks again.

---

**From:** Gordon, Meghan  
**Sent:** Wednesday, May 23, 2018 6:34 AM  
**To:** Daguillard, Robert  
**Cc:** Block, Molly; Press  
**Subject:** Re: Small refinery waivers

Checking back on the question of how many of the 33 have been approved.

---

**From:** Gordon, Meghan  
**Sent:** Monday, May 21, 2018 3:11:45 PM  
**To:** Daguillard, Robert  
**Cc:** Block, Molly; Press  
**Subject:** Re: Small refinery waivers

Thanks! Still 25 granted?

---

**From:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Sent:** Monday, May 21, 2018 2:19:38 PM  
**To:** Gordon, Meghan  
**Cc:** Block, Molly; Press  
**Subject:** RE: Small refinery waivers

Hullo Meghan,

On background, please: EPA has received 33 requests for small refinery waivers for the year 2017

Cheers, R.

Robert Daguillard  
Office of Media Relations

U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Tuesday, May 15, 2018 11:16 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Small refinery waivers

Hi Robert and Molly,

Are there any updates to the small refinery waivers for 2017?

Last I had was 25 approved out of 30 petitions received.

Thanks,  
Meghan

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Monday, April 30, 2018 5:14 PM  
**To:** Gordon, Meghan  
**Cc:** Block, Molly  
**Subject:** RE: Small refinery waivers

Thanks, Meghan. Are you on immediate deadline? Or can we circle back tomorrow in the AM?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Monday, April 30, 2018 5:13 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Small refinery waivers

Thanks again for your help on this issue.

Are the numbers below still current? Is CVR one of the 25 plants that received a waiver?

Thanks,  
Meghan

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Tuesday, April 24, 2018 1:31 PM  
**To:** Block, Molly; Gordon, Meghan; Press  
**Subject:** RE: Small refinery waivers

Also, Meghan, and on background, please:

A slight update. For 2017 we have now received 30 petitions, but have not approved any more beyond the 25 already noted.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Block, Molly  
**Sent:** Tuesday, April 24, 2018 1:11 PM  
**To:** Gordon, Meghan <[meghan.gordon@spglobal.com](mailto:meghan.gordon@spglobal.com)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Small refinery waivers

Meghan –

Still checking on the numbers, but in the meantime:

“There is not consensus on the regulatory path forward on the E15 RVP waiver and related issues.”

On the waivers:

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete.” **Liz Bowman, EPA spokesperson**

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
- During the Obama Administration, there was often disagreement by EPA with DOE’s recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.

- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency's viability analysis employed by the previous administration to be inconsistent with congress's intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA's requirement that refineries demonstrate an "existential threat" to their long-term viability as the standard for demonstrating "disproportionate economic hardship" inconsistent with EPA's statutory authority and vacated a previously denied hardship exemption and remanded Sinclair's hardship petitions back to EPA for further consideration.
- In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation.

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Tuesday, April 24, 2018 11:45 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Small refinery waivers

Hi Robert and press team,

How many 2017 small refinery waivers has EPA granted? Checking for any updates to the previous figures of 25 granted out of 29 petitions received.

Ahead of Administrator Pruitt's testimony later this week, can you share why the agency considers these waivers as important and justified under the RFS? Just looking for some more color for a curtain raiser.

Many thanks,  
Meghan

Meghan Gordon  
S&P Global Platts  
(202) 383-2001 office

Ex. 6 Personal Privacy (PP) cell

---

The information contained in this message is intended only for the recipient, and may be a confidential attorney-client communication or may otherwise be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, please be aware that any dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by replying to the message and deleting it from your computer. S&P Global Inc. reserves the right, subject to applicable local law, to monitor, review and process the content of any electronic message or information sent to or from S&P Global Inc. e-mail addresses without informing the sender or recipient of the message. By sending electronic message or information to S&P Global Inc. e-mail addresses you, as the sender, are consenting to S&P Global Inc. processing any of your personal data therein.



Message

---

**From:** Schirmer, Mark (CAI - Troy) [Mark.Schirmer@coxautoinc.com]  
**Sent:** 5/23/2018 10:12:39 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** schaffer, joan [schaffer.joan@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Press Inquiry  
**Attachments:** Cox Automotive and Kelley Blue Book Data: Fuel Prices in the U.S.

Thank you for this. We have a few auto analysts on our team and we were expecting questions from media. Gas prices and fuel economy are a hot topic, of course.

Cox Automotive is the parent company for Autotrader and Kelley Blue Book, two of the largest car shopping sites in the U.S. [www.coxautoinc.com](http://www.coxautoinc.com).

We had a few media reach out to us earlier in the week about gas prices. We shared this data and research today. See attached note.

**Mark Schirmer**

Senior Manager | Public Relations  
Email: [mark.schirmer@coxautoinc.com](mailto:mark.schirmer@coxautoinc.com)  
Mobile: Ex. 6 Personal Privacy (PP)  
Twitter: @MarkSchirmer1

COX AUTOMOTIVE™

---

**From:** Block, Molly [mailto:block.molly@epa.gov]  
**Sent:** Wednesday, May 23, 2018 6:03 PM  
**To:** Schirmer, Mark (CAI - Troy) <Mark.Schirmer@coxautoinc.com>  
**Cc:** schaffer, joan <schaffer.joan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry

Wanted to make sure you got this joint statement from EPA and Department of Transportation:

“Today’s conversations between Administration Officials and the California Air Resources Board were productive. We want to thank President Trump for convening this process and his steadfast commitment as it continues to move forward. We are fully supportive of an open dialogue that proceeds in an expedited manner. EPA and USDOT look forward to moving ahead on a joint proposed rule and receiving practical and productive feedback from all stakeholders.”

---

**From:** Schirmer, Mark (CAI - Troy) [mailto:Mark.Schirmer@coxautoinc.com]  
**Sent:** Wednesday, May 23, 2018 8:54 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** schaffer, joan <schaffer.joan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry

Thank you.

mhs

---

**From:** Block, Molly [mailto:[block.molly@epa.gov](mailto:block.molly@epa.gov)]

**Sent:** Wednesday, May 23, 2018 8:46 AM

**To:** Schirmer, Mark (CAI - Troy) <[Mark.Schirmer@coxautoinc.com](mailto:Mark.Schirmer@coxautoinc.com)>

**Cc:** schaffer, joan <[schaffer.joan@epa.gov](mailto:schaffer.joan@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: Press Inquiry

On background (not for attribution): I can confirm the meeting.

---

**From:** Schirmer, Mark (CAI - Troy) [mailto:[Mark.Schirmer@coxautoinc.com](mailto:Mark.Schirmer@coxautoinc.com)]

**Sent:** Wednesday, May 23, 2018 8:20 AM

**To:** schaffer, joan <[schaffer.joan@epa.gov](mailto:schaffer.joan@epa.gov)>

**Subject:** Press Inquiry

Bloomberg is reporting that CARB's Mary Nichols will be meeting in Washington DC today (May 23) with EPA and NHTSA officials to discuss vehicle emissions and fuel economy standards. Can you confirm if that meeting is scheduled.

Thank you.

**Mark Schirmer**

Senior Manager | Public Relations

Email: [mark.schirmer@coxautoinc.com](mailto:mark.schirmer@coxautoinc.com)

Mobile: [Ex. 6 Personal Privacy (PP)]

Twitter: @MarkSchirmer1

COX AUTOMOTIVE\*



Message

---

**From:** schaffer, joan [schafer.joan@epa.gov]  
**Sent:** 5/23/2018 10:04:54 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**Subject:** RE: Press Inquiry

Thanks, Molly.

Joan T. Schafer, Senior Advisor  
U.S. Environmental Protection Agency  
Region 3 Office of Communications and Government Relations  
1650 Arch Street  
Philadelphia, PA 19103  
215-814-5143 (ph)

Ex. 6 Personal Privacy (PP)

---

**From:** Block, Molly  
**Sent:** Wednesday, May 23, 2018 6:03 PM  
**To:** Schirmer, Mark (CAI - Troy) <Mark.Schirmer@coxautoinc.com>  
**Cc:** schaffer, joan <schafer.joan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry

Wanted to make sure you got this joint statement from EPA and Department of Transportation:

“Today’s conversations between Administration Officials and the California Air Resources Board were productive. We want to thank President Trump for convening this process and his steadfast commitment as it continues to move forward. We are fully supportive of an open dialogue that proceeds in an expedited manner. EPA and USDOT look forward to moving ahead on a joint proposed rule and receiving practical and productive feedback from all stakeholders.”

---

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**Sent:** Wednesday, May 23, 2018 8:54 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** schaffer, joan <schafer.joan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry

Thank you.

mhs

---

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**To:** Schirmer, Mark (CAI - Troy) <Mark.Schirmer@coxautoinc.com>  
**Cc:** schaffer, joan <schafer.joan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry

On background (not for attribution): I can confirm the meeting.

---

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**Sent:** Wednesday, May 23, 2018 8:20 AM

**To:** schaffer, joan <[schaffer.joan@epa.gov](mailto:schaffer.joan@epa.gov)>

**Subject:** Press Inquiry

Bloomberg is reporting that CARB's Mary Nichols will be meeting in Washington DC today (May 23) with EPA and NHTSA officials to discuss vehicle emissions and fuel economy standards. Can you confirm if that meeting is scheduled.

Thank you.

**Mark Schirmer**

Senior Manager | Public Relations

Email: [mark.schirmer@coxautoinc.com](mailto:mark.schirmer@coxautoinc.com)

Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @MarkSchirmer1



Message

**From:** katie.peikes@wdde.org [katie.peikes@wdde.org]  
**Sent:** 6/4/2018 8:02:09 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]; White, Terri-A [White.Terri-A@epa.gov]; schaffer, joan [schaffer.joan@epa.gov]  
**Subject:** RE: Subject: Media request: EPA statement on Delaware air quality

Thank you.

Best,

Katie Peikes  
Delaware Public Media Science Reporter  
302.857.6897 (o)  
Ex. 6 Personal Privacy (PP) (c)

----- Original Message -----

**Subject:** Subject: Media request: EPA statement on Delaware air quality  
**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** Mon, June 04, 2018 3:48 pm  
**To:** "katie.peikes@wdde.org" <katie.peikes@wdde.org>  
**Cc:** Press <Press@epa.gov>, "White, Terri-A" <White.Terri-A@epa.gov>, "schaffer, joan" <schaffer.joan@epa.gov>

Good afternoon Katie. For attribution to "an EPA spokesperson," please:

EPA is proposing to deny five petitions submitted under section 126 of the Clean Air Act. The state of Delaware submitted four of these petitions. Maryland submitted one. These petitions seek reductions in emissions of ozone-forming nitrogen dioxide (NO<sub>x</sub>) from specific power plants in the upwind states of Indiana, Kentucky, Ohio, Pennsylvania, and West Virginia. The Agency has concluded that neither Delaware nor Maryland has met their burden to demonstrate that the sources they named emit or would emit ozone forming pollutants at levels that violate the Clean Air Act's good neighbor provision for the 2008 and 2015 ozone standards. In addition, EPA's analysis, does not show a violation. EPA will accept comment on this proposed action for 45 days after it is published in the *Federal Register*. In addition, we plan to hold a public hearing on this proposal at the EPA offices in Washington, DC and will provide details in a future notice.

A prepublication version of the proposed action and a summary fact sheet are available directly at <https://www.epa.gov/ozone-pollution/proposed-action-clean-air-act-section-126-petitions-delaware-and-maryland> or by clicking on each petition's page at: <https://www.epa.gov/ozone-pollution/ozone-national-ambient-air-quality-standards-naaqs-section-126-petitions>

+++++

**From:** katie.peikes@wdde.org [mailto:katie.peikes@wdde.org]  
**Sent:** Monday, June 04, 2018 9:07 AM  
**To:** Seneca, Roy <Seneca.Roy@epa.gov>  
**Subject:** Media request: EPA statement on Delaware air quality

Hi Roy,

I'm looking for a statement from EPA on planning to deny Delaware's four air quality petitions seeking emissions reductions from upwind state power plants. Is there one you could email me?

Thanks.

Katie Peikes  
Delaware Public Media Science Reporter

Ex. 6 Personal Privacy (PP) (C)

+++++

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 6/4/2018 7:17:09 PM  
**To:** Jacqueline Toth [jtoth@morningconsult.com]; Press [Press@epa.gov]  
**Subject:** RE: Inquiry re: Delaware/Maryland decision

Jackie, for attribution to “an EPA spokesperson,” please:

EPA is proposing to deny five petitions submitted under section 126 of the Clean Air Act. The state of Delaware submitted four of these petitions. Maryland submitted one. These petitions seek reductions in emissions of ozone-forming nitrogen dioxide (NO<sub>x</sub>) from specific power plants in the upwind states of Indiana, Kentucky, Ohio, Pennsylvania, and West Virginia. The Agency has concluded that neither Delaware nor Maryland has met their burden to demonstrate that the sources they named emit or would emit ozone forming pollutants at levels that violate the Clean Air Act’s good neighbor provision for the 2008 and 2015 ozone standards. In addition, EPA’s analysis, does not show a violation. EPA will accept comment on this proposed action for 45 days after it is published in the *Federal Register*. In addition, we plan to hold a public hearing on this proposal at the EPA offices in Washington, DC and will provide details in a future notice.

A prepublication version of the proposed action and a summary fact sheet are available directly at <https://www.epa.gov/ozone-pollution/proposed-action-clean-air-act-section-126-petitions-delaware-and-maryland> or by clicking on each petition’s page at: <https://www.epa.gov/ozone-pollution/ozone-national-ambient-air-quality-standards-naaqs-section-126-petitions>

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

**From:** Jacqueline Toth [mailto:jtoth@morningconsult.com]  
**Sent:** Monday, June 04, 2018 11:49 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Inquiry re: Delaware/Maryland decision

Hi all,

Happy Monday. Where did the EPA announce on Friday it plans to deny DE and MD's petitions over nitrogen dioxide emissions from upwind states? Is there a press release or Federal Register publication where it was announced that you can pass along?

Thanks,

**Jackie Toth | Reporter**  
610-428-2276 | [jtoth@morningconsult.com](mailto:jtoth@morningconsult.com)





Message

---

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 6/1/2018 4:00:56 PM  
**To:** Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** FW: Upcoming publication of area attainment designations for 2015 ozone NAAQS signed April 30

Is this too much to send back.

## Ex. 5 Deliberative Process (DP)

---

**From:** Sean Reilly [mailto:sreilly@eenews.net]  
**Sent:** Friday, June 1, 2018 11:57 AM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Upcoming publication of area attainment designations for 2015 ozone NAAQS signed April 30

Hi Enesta:

Please see my email below. This isn't on the record, so I won't be using it. Have a good weekend.

Sean

---

**From:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Sent:** Friday, June 01, 2018 11:20 AM  
**To:** Sean Reilly <sreilly@eenews.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Upcoming publication of area attainment designations for 2015 ozone NAAQS signed April 30

**"EPA has worked through its normal process to assure that the final designations notice signed by the Administrator on April 30, 2018 was complete, accurate and ready for publication in the Federal Register. The Agency has been informed that it will publish on June 4, 2018. This final rule does not designate eight counties in the San Antonio, Texas area. EPA will complete designations for these counties by July 17, 2018."** — EPA spokesperson

On Jun 1, 2018, at 9:45 AM, Sean Reilly <sreilly@eenews.net> wrote:

Hi folks:

I'm working on a story today that will note that publication is coming after EPA was criticized for foot-dragging by environmental groups and about 15 states in filings last week with the D.C. Circuit Court (<https://www.eenews.net/greenwire/stories/1060082777/>). Is EPA now going ahead with these designations because of that criticism?

My deadline is noon; I need any response to be on-the-record and for attribution. If not, I can't use it.

Thanks,  
Sean

Sean Reilly  
Reporter  
E&E News

202-446-0433 (Desk)

Ex. 6 Personal Privacy (PP) (Cell)

[sreilly@eenews.net](mailto:sreilly@eenews.net)

Twitter: @SeanatGreenwire

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[www.eenews.net](http://www.eenews.net) • [www.eenews.tv](http://www.eenews.tv)

EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

Message

---

**From:** Konkus, John [konkus.john@epa.gov]  
**Sent:** 6/1/2018 4:00:41 PM  
**To:** Wilcox, Jahan [wilcox.jahan@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Upcoming publication of area attainment designations for 2015 ozone NAAQS signed April 30

+1

---

**From:** Wilcox, Jahan  
**Sent:** Friday, June 1, 2018 12:00 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Upcoming publication of area attainment designations for 2015 ozone NAAQS signed April 30

It's behind a paywall right? Who cares.

---

**From:** Sean Reilly [mailto:sreilly@eenews.net]  
**Sent:** Friday, June 1, 2018 11:57 AM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Upcoming publication of area attainment designations for 2015 ozone NAAQS signed April 30

Hi Enesta:

Please see my email below. This isn't on the record, so I won't be using it. Have a good weekend.

Sean

---

**From:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Sent:** Friday, June 01, 2018 11:20 AM  
**To:** Sean Reilly <sreilly@eenews.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Upcoming publication of area attainment designations for 2015 ozone NAAQS signed April 30

**"EPA has worked through its normal process to assure that the final designations notice signed by the Administrator on April 30, 2018 was complete, accurate and ready for publication in the Federal Register. The Agency has been informed that it will publish on June 4, 2018. This final rule does not designate eight counties in the San Antonio, Texas area. EPA will complete designations for these counties by July 17, 2018."** — EPA spokesperson

On Jun 1, 2018, at 9:45 AM, Sean Reilly <sreilly@eenews.net> wrote:

Hi folks:

I'm working on a story today that will note that publication is coming after EPA was criticized for foot-dragging by environmental groups and about 15 states in filings last week with the D.C. Circuit Court (<https://www.eenews.net/greenwire/stories/1060082777/>). Is EPA now going ahead with these designations because of that criticism?

My deadline is noon; I need any response to be on-the-record and for attribution. If not, I can't use it.

Thanks,  
Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP) {Cell}

sreilly@eenews.net  
Twitter: @SeanatGreenwire

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 6/1/2018 3:19:34 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: For Review: E&E (Sean Reilly) re upcoming publication of area attainment designations for 2015 ozone NAAQS signed April 30 (Deadline: Now)

Sure.

On Jun 1, 2018, at 11:19 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jun 1, 2018, at 10:11 AM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Who should we attribute to?

## Ex. 5 Deliberative Process (DP)

---

**From:** Sean Reilly [<mailto:sreilly@eenews.net>]  
**Sent:** Friday, June 01, 2018 9:46 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Upcoming publication of area attainment designations for 2015 ozone NAAQS signed April 30

Hi folks:

I'm working on a story today that will note that publication is coming after EPA was criticized for foot-dragging by environmental groups and about 15 states in filings last week with the D.C. Circuit Court

(<https://www.eenews.net/greenwire/stories/1060082777/>). Is EPA now going ahead with these designations because of that criticism?

My deadline is noon; I need any response to be on-the-record and for attribution. If not, I can't use it.

Thanks,  
Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP)

 Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

**From:** Daniell, Kelsi [daniell.kelsi@epa.gov]  
**Sent:** 6/1/2018 2:29:16 PM  
**To:** Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]  
**CC:** Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** Re: SRE Information

Ex. 5 Deliberative Process (DP) Just talked to Mandy.

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Sent from my iPhone

On Jun 1, 2018, at 9:27 AM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

FYI- see below.

Begin forwarded message:

**From:** "Gunasekara, Mandy" <Gunasekara.Mandy@epa.gov>  
**Date:** June 1, 2018 at 10:13:28 AM EDT  
**To:** "Ford, Hayley" <ford.hayley@epa.gov>  
**Cc:** "Daniell, Kelsi" <daniell.kelsi@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>  
**Subject:** RE: SRE Information

Yes – this is from yesterday's suggested response but Ive made a few adjustments highlighted below. Call with questions.

Suggested response:

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Follow Up:

**Ex. 5 Deliberative Process (DP)**

---

**From:** Ford, Hayley  
**Sent:** Friday, June 1, 2018 9:39 AM  
**To:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>

**Cc:** Daniell, Kelsi <[daniell.kelsi@epa.gov](mailto:daniell.kelsi@epa.gov)>; Ferguson, Lincoln  
<[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>

**Subject:** FW: SRE Information

Mandy have you given the press team talking points or a statement they can share with reporters on this? I know it's getting a lot of attention.

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: Ex. 6 Personal Privacy (PP)

---

**From:** Gunasekara, Mandy  
**Sent:** Friday, June 1, 2018 9:29 AM  
**To:** Daniell, Kelsi <[daniell.kelsi@epa.gov](mailto:daniell.kelsi@epa.gov)>  
**Cc:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** SRE Information

See attached per our discussion. Let me know if this should be sent elsewhere. Thanks!

**Mandy M. Gunasekara**  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
US Environmental Protection Agency



Message

---

**From:** Hassell, Emily [hassell.emily@epa.gov]  
**Sent:** 5/31/2018 7:20:11 PM  
**To:** Press [Press@epa.gov]  
**Subject:** Reporter pinging - FW: Small refinery exemptions

Reporter just left a message on the OMR line "following up in every way possible" on the below questions.

---

**From:** Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]  
**Sent:** Thursday, May 31, 2018 2:24 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Small refinery exemptions

Thank you, that is very helpful clarification. Can you clear up these other two points of market concern:

- What vintage RIN has EPA reinstated to avoid the "justice delayed, justice denied" outcome: 2016, 2017 or 2018? Clearly 2014/15 vintage would be useless.
- Does EPA continue to accept new applications for any previous compliance year? Which years?

---

**From:** Block, Molly <block.molly@epa.gov>  
**Sent:** Thursday, May 31, 2018 1:14 PM  
**To:** Elliott Blackburn <elliott.blackburn@argusmedia.com>; Press <Press@epa.gov>  
**Subject:** RE: Small refinery exemptions

Notice: external email – please use caution.

---

Elliott –

This should be some helpful clarification.

**On background (not for attribution):** The recent exemption actions are solely confined to the petitions that were timely submitted and timely challenged in the Sinclair/Holly cases before the Tenth Circuit. Note that there were the separate, but related cases: a Sinclair case challenging 2014 denials; a Sinclair case challenging 2015 denials; and a Holly case challenging 2015 denials. In the previous email, I characterized this package of cases as the "one exception" given the interrelatedness and general knowledge of that interrelatedness.

Since the 2015 cases were reliant on the outcome in the 2014 case, those two actions were held in abeyance while the court decided the 2014 case. That decision came out last summer (2017). Once EPA charted out a path to comply with the courts order for the 2014 case, EPA applied that same approach to the 2015 cases. In sum and to your original point, these actions are limited in scope and confined to the petitions at issue in the Sinclair/Holly cases.

---

**From:** Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]  
**Sent:** Thursday, May 31, 2018 1:46 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Small refinery exemptions

Molly —

- When did this change following your 11 May statement on behalf of the agency, which said that there “is one exception” — Sinclair v EPA — to Agency policy reinstating only RINs from the same year as the requesting petition? Or is that what you mean in this latest response?
- Does the reconsideration of “some prior denials” include applications by refineries not a party to Sinclair v EPA? How many?
- What vintage RIN has EPA reinstated to avoid the “justice delayed, justice denied” outcome: 2016, 2017 or 2018?
- Does EPA continue to accept new applications for any previous compliance year? Which years?

I can be reached at this email or at (713) 429-6350.

---

**From:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Sent:** Thursday, May 31, 2018 12:34 PM

**To:** Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: Small refinery exemptions

Notice: external email – please use caution.

---

Elliott –

Here’s our statement:

“EPAs actions are narrow in scope and consistent with direction from the 10th Circuit. The Agency has been revisiting some prior denials in light of a recent court opinion holding that EPA had been applying the hardship exemption for small refineries too narrowly. Last summer, the Tenth Circuit found that EPA cannot make an exemption conditional on a refinery showing that its continued survival was at risk. EPA will continue to administer this statute attentive to all policy considerations, fulfilling the duty Congress has given the Agency in light of orders and opinions from the courts.” – EPA Spokesperson

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]

**Sent:** Thursday, May 31, 2018 1:28 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** FW: Small refinery exemptions

In what sense is EPA “revisiting” previous small refinery waiver decisions? What is the criteria for such reconsideration?

And:

- What vintage of RINs did EPA issue to “avoid a justice delayed, justice denied outcome” from the Sinclair v EPA decision?
- How many refiners not originally a party to Sinclair v EPA received RINs for years beyond current expiration? Or: Is this exception available exclusively to parties of Sinclair v EPA?
- Does EPA continue to accept small refinery waiver applications for the 2017 compliance year?

**Elliott Blackburn**

*Downstream Reporter*

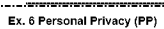
[www.argusmedia.com](http://www.argusmedia.com)

Direct: +1 713 429 6350

Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)

ICE: eblackburn

Skype ID: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)

Signal: 



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Argus Media Inc., 2929 Allen Parkway, Suite 700, Houston, Texas 77019, USA

illuminating the markets

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Argus Media Limited has moved offices. Please note our new address below.

Argus Media Limited, Lacon House, 84 Theobald's Road, London WC1X 8NL Registered in England and Wales, Company Registration No: 1642534 VAT Registration No: GB 229 7149 41

Message

---

**From:** Schwab, Justin [Schwab.Justin@epa.gov]  
**Sent:** 5/31/2018 3:45:16 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Baptist, Erik [Baptist.Erik@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]  
**Subject:** Re: refinery waivers

Yes, thank you.

Sent from my iPhone

On May 31, 2018, at 11:26 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Justin - you good with this updated response?

Sent from my iPhone

On May 31, 2018, at 11:25 AM, Gunasekara, Mandy <[Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)> wrote:

One little edit. This is good. Send send send!

---

**From:** Block, Molly  
**Sent:** Thursday, May 31, 2018 11:11 AM  
**To:** Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>; Gunasekara, Mandy <[Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Baptist, Erik <[Baptist.Erik@epa.gov](mailto:Baptist.Erik@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Beach, Christopher <[beach.christopher@epa.gov](mailto:beach.christopher@epa.gov)>; Daniell, Kelsi <[daniell.kelsi@epa.gov](mailto:daniell.kelsi@epa.gov)>; Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>  
**Subject:** RE: refinery waivers

Just talked with Mandy.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Thoughts?

Suggested response:

Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

Follow Up:

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

**From:** Schwab, Justin

**Sent:** Thursday, May 31, 2018 10:54 AM

**To:** Gunasekara, Mandy <[Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Baptist, Erik <[Baptist.Erik@epa.gov](mailto:Baptist.Erik@epa.gov)>

**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Beach, Christopher <[beach.christopher@epa.gov](mailto:beach.christopher@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Daniell, Kelsi <[daniell.kelsi@epa.gov](mailto:daniell.kelsi@epa.gov)>; Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>

**Subject:** RE: refinery waivers

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**From:** Gunasekara, Mandy

**Sent:** Thursday, May 31, 2018 10:40 AM

**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>; Baptist, Erik <[Baptist.Erik@epa.gov](mailto:Baptist.Erik@epa.gov)>

**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Beach, Christopher <[beach.christopher@epa.gov](mailto:beach.christopher@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Daniell, Kelsi <[daniell.kelsi@epa.gov](mailto:daniell.kelsi@epa.gov)>; Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>

**Subject:** Re: refinery waivers

We need to **Ex. 5 Deliberative Process (DP)**

In short, **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Justin/Erik, **Ex. 5 Deliberative Process (DP)**

Sent from my iPhone

On May 31, 2018, at 10:23 AM, Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)> wrote:

Mandy – let us know if the response below is wrong.

---

**From:** Wilcox, Jahan  
**Sent:** Thursday, May 31, 2018 10:23 AM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** RE: refinery waivers

**Ex. 5 Deliberative Process (DP)**

---

**From:** Block, Molly  
**Sent:** Thursday, May 31, 2018 10:22 AM  
**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** RE: refinery waivers

Flagging for Jahan

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Thursday, May 31, 2018 10:21 AM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** refinery waivers

Hi Robert/Molly/press team,

Does EPA have any response to today's Reuters story about current RINs being issued for past waiver denials?

Thanks,  
Meghan

Meghan Gordon  
S&P Global Platts  
(202) 383-2001 office

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**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 7/6/2018 3:41:18 PM  
**To:** Press [Press@epa.gov]  
**Subject:** For Review: Basin Bits (Mark Halsall) re Regulation of Carbon Dioxide Storage in North Dakota (Deadline: 7/6)

On background:

1. What is the significance of this agreement between the EPA and North Dakota?

**Ex. 5 Deliberative Process (DP)**

2. Why did the EPA agree to grant this authority to North Dakota?

**Ex. 5 Deliberative Process (DP)**

3. Why is carbon capture and sequestration (CCS) important? What is the EPA doing to promote this technology?

**Ex. 5 Deliberative Process (DP)**

4. What are the potential benefits of CCS technology for the CO<sub>2</sub> producers (i.e. coal-fired power plants and ethanol production facilities)? What are the potential benefits for CO<sub>2</sub> users (i.e. oil and gas wells)?

**Ex. 5 Deliberative Process (DP)**

5. EPA Administrator Scott Pruitt has been quoted as saying that handing regulation over to the state would help advance carbon capture and sequestration technology. How will this agreement help advance CCS technology?

**Ex. 5 Deliberative Process (DP)**



# Ex. 5 Deliberative Process (DP)

6. What does this agreement mean for the coal and ethanol industries in North Dakota (and/or the US in general)?

# Ex. 5 Deliberative Process (DP)

7. What does it mean for the oil and gas industry in North Dakota (and/or the US in general)?

Ex. 5 Deliberative Process (DP)

**From:** Mark Halsall <Ex. 6 Personal Privacy (PP)>

**Date:** June 27, 2018 at 11:13:14 AM EDT

**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>

**Subject:** Re: Article on Regulation of Carbon Dioxide Storage in North Dakota

Thanks Enesta. I am writing this article for Basin Bits, a trade magazine published by the Western Dakota Energy Association.

Mark

On Wed, Jun 27, 2018 at 10:04 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Who are you writing for?

Hi Mark, I'm now looking into your questions.

**From:** Mark Halsall [mailto:Ex. 6 Personal Privacy (PP)]

**Sent:** Wednesday, June 27, 2018 10:32 AM

**To:** Lynn, Tricia <lynn.tricia@epa.gov>

**Subject:** Re: Article on Regulation of Carbon Dioxide Storage in North Dakota

Hi Lynn.

Here are those questions for the carbon capture and sequestration article I'm writing, as promised:

- North Dakota is the first state in the U.S. to be given authority to regulate underground wells used for long-term storage of waste carbon dioxide captured from industrial sources. What is the significance of this agreement between the EPA and North Dakota?

- Why did the EPA agree to grant this authority to North Dakota?

- Why is carbon capture and sequestration (CCS) important? What is the EPA doing to promote this technology?

What are the potential benefits of CCS technology for the CO<sub>2</sub> producers (i.e. coal-fired power plants and ethanol production facilities)? What are the potential benefits for CO<sub>2</sub> users (i.e. oil and gas wells)?

- EPA Administrator Scott Pruitt has been quoted as saying that handing regulation over to the state would help advance carbon capture and sequestration technology. How will this agreement help advance CCS technology?

- What does this agreement mean for the coal and ethanol industries in North Dakota (and/or the US in general)? What does it mean for the oil and gas industry in North Dakota (and/or the US in general)?

That's about it. As previously indicated, July 6 is when I need to have either conducted a phone interview or received written responses in order to make my deadline. If a phone interview is the route the EPA chooses to go, appreciate it if you could let me know as soon as you can so we can set this up.

Thanks for help, Lynn.

Regards,

Mark Halsall

204 612 0917

On Wed, Jun 20, 2018 at 1:30 PM, Mark Halsall <Ex. 6 Personal Privacy (PP)> wrote:

Thanks for getting back to me Tricia - much appreciated. I will get you a list of questions early next week. The hard deadline for the piece is July 6.

Mark

On Wed, Jun 20, 2018 at 1:23 PM, Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Hi Mark—

Thanks for your inquiry.

I'm happy to check into the possibility of an interview, but please be aware that they're not always available. If not, we can typically respond in writing. Any response is more likely to come from our subject matter experts than the Administrator. Even then, we may not be able to provide a specific source for attribution.

In any case, to begin I'll need a list of your specific questions and hard deadline. Can you please supply those at your earliest convenience?

Thanks so much,

Tricia

---

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

**From:** Mark Halsall [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]  
**Sent:** Wednesday, June 20, 2018 1:24 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Fwd: Article on Regulation of Carbon Dioxide Storage in North Dakota

Hello. I just sent an interview request to Richard Mylott, but he's suggested I contact the EPA national press office at this email address instead. If you could get back to me about request at your earliest convenience, I'd really appreciate it.

Regards,

Mark Halsall

204 612 0917

----- Forwarded message -----

**From:** Mylott, Richard <[Mylott.Richard@epa.gov](mailto:Mylott.Richard@epa.gov)>  
**Date:** Wed, Jun 20, 2018 at 12:14 PM  
**Subject:** Re: Article on Regulation of Carbon Dioxide Storage in North Dakota  
**To:** Mark Halsall <[Ex. 6 Personal Privacy \(PP\)](#)>

Thanks for this Mark. Folks in our national press office should be able to help with this. Best is 202-564-4355 or [press@epa.gov](mailto:press@epa.gov).

Rich 303-312-6654

Sent from my iPhone

On Jun 20, 2018, at 11:11 AM, Mark Halsall <Ex. 6 Personal Privacy (PP)> wrote:

Hello Rich,

My name is Mark Halsall, and I'm writing an article on the move by the EPA to give North Dakota the power to regulate carbon dioxide storage wells within the state for Basin Bits, a trade magazine put out by the Western Dakota Energy Association. It would be great if I could include a comment or two from EPA Administrator Scott Pruitt in the article, and I am contacting you in the hopes we can make arrangements for interview (either via phone or email). If you could get back to me at your earliest convenience to let me know if this is doable, I'd really appreciate it.

Thanks - hope to hear back from you soon.

Mark Halsall

204 612 0917

Message

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**From:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Sent:** 5/21/2018 7:14:49 PM  
**To:** Daguiard, Robert [Daguiard.Robert@epa.gov]  
**CC:** Block, Molly [block.molly@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Small refinery waivers

**Ex. 5 Deliberative Process (DP)**

---

**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Monday, May 21, 2018 3:12 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Cc:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** Re: Small refinery waivers

Thanks! Still 25 granted?

---

**From:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Sent:** Monday, May 21, 2018 2:19:38 PM  
**To:** Gordon, Meghan  
**Cc:** Block, Molly; Press  
**Subject:** RE: Small refinery waivers

Hullo Meghan,

On background, please: EPA has received 33 requests for small refinery waivers for the year 2017

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Tuesday, May 15, 2018 11:16 AM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Cc:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Small refinery waivers

Hi Robert and Molly,

Are there any updates to the small refinery waivers for 2017?

Last I had was 25 approved out of 30 petitions received.

Thanks,

Meghan

---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]  
**Sent:** Monday, April 30, 2018 5:14 PM  
**To:** Gordon, Meghan  
**Cc:** Block, Molly  
**Subject:** RE: Small refinery waivers

Thanks, Meghan. Are you on immediate deadline? Or can we circle back tomorrow in the AM?

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Monday, April 30, 2018 5:13 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Small refinery waivers

Thanks again for your help on this issue.

Are the numbers below still current? Is CVR one of the 25 plants that received a waiver?

Thanks,  
Meghan

---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]  
**Sent:** Tuesday, April 24, 2018 1:31 PM  
**To:** Block, Molly; Gordon, Meghan; Press  
**Subject:** RE: Small refinery waivers

Also, Meghan, and on background, please:

A slight update. For 2017 we have now received 30 petitions, but have not approved any more beyond the 25 already noted.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Block, Molly  
**Sent:** Tuesday, April 24, 2018 1:11 PM  
**To:** Gordon, Meghan <[meghan.gordon@spglobal.com](mailto:meghan.gordon@spglobal.com)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Small refinery waivers

Meghan –

Still checking on the numbers, but in the meantime:

“There is not consensus on the regulatory path forward on the E15 RVP waiver and related issues.”

On the waivers:

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete.” **Liz Bowman, EPA spokesperson**

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
- During the Obama Administration, there was often disagreement by EPA with DOE’s recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency’s viability analysis employed by the previous administration to be inconsistent with congress’s intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA’s requirement that refineries demonstrate an “existential threat” to their long-term viability as the standard for demonstrating “disproportionate economic hardship” inconsistent with EPA’s statutory authority and vacated a previously denied hardship exemption and remanded Sinclair’s hardship petitions back to EPA for further consideration.
- In 2016, EPA received 20 petitions and granted 19 based on DOE’s recommendation.

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Tuesday, April 24, 2018 11:45 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Small refinery waivers

Hi Robert and press team,



How many 2017 small refinery waivers has EPA granted? Checking for any updates to the previous figures of 25 granted out of 29 petitions received.

Ahead of Administrator Pruitt's testimony later this week, can you share why the agency considers these waivers as important and justified under the RFS? Just looking for some more color for a curtain raiser.

Many thanks,  
Meghan

Meghan Gordon  
S&P Global Platts  
(202) 383-2001 office

Ex. 6 Personal Privacy (PP) cell

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Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 5/16/2018 10:37:07 PM  
**To:** Susan Dunlap [Susan.Dunlap@mtstandard.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: media inquiry

Susan, for attribution to US EPA, please:

What is EPA's Superfund budget for fiscal year 2018?

**The FY 2018 Enacted budget provides approximately \$1.154 billion for Superfund.**

What is EPA's proposed Superfund budget for fiscal year 2019?

**For FY 2019, the President's Budget requests \$1.089 billion for Superfund.**

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP) (M)

  
202-564-6618 (O)

On May 16, 2018, at 4:13 PM, Susan Dunlap <[Susan.Dunlap@mtstandard.com](mailto:Susan.Dunlap@mtstandard.com)> wrote:

What is EPA's Superfund budget for fiscal year 2018?

What is EPA's proposed Superfund budget for fiscal year 2019?

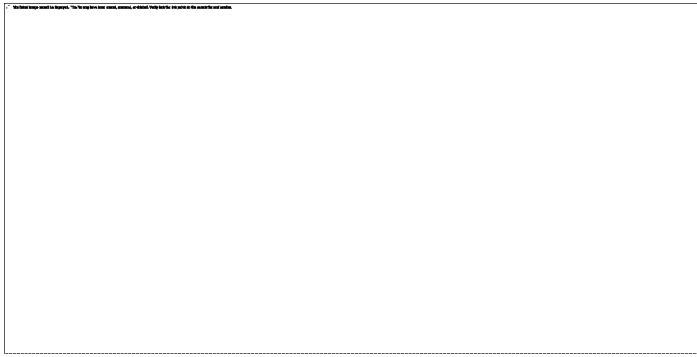
Deadline today 5 p.m. MST.

Thank you,  
Susan

**Susan Dunlap**  
Natural Resources Reporter  
Montana Standard | Box 627 | 25 W. Granite St. | Butte MT 59703  
406-496-5572  

Ex. 6 Personal Privacy (PP) (cell)

  
[susan.dunlap@mtstandard.com](mailto:susan.dunlap@mtstandard.com)



The content image001.jpg of type has been blocked.

Message

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**From:** Kelsey Tamborrino [ktamborrino@politico.com]  
**Sent:** 5/16/2018 9:58:38 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Question on open house

Thank you!

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Wednesday, May 16, 2018 5:56 PM  
**To:** Kelsey Tamborrino <ktamborrino@politico.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Question on open house

Kelsey, for attribution to US EPA, please:

ATTENDEES:

**American Petroleum Institute** (attending)

John Wagner, Managing Counsel

**Association of American Railroads**(attending)

Alice Koethe, Counsel-Environmental & Hazmat

**Information Technology Industry Council**(attending)

Rick Goss, Senior Vice President, Environment and Sustainability

**National Association of Home Builders**(attending)

Thomas Ward, VP Litigation and Legal Advocacy

**National Association of Manufacturers**(attending)

Rachel Jones, Senior Director, Energy and Resources Policy

**National Cattlemen's Beef Association**(attending)

Scott Yager, Chief Environmental Counsel

Mary-Thomas Hart, Deputy Environmental Counsel

**National Mining Association** (attending)

Amanda Aspatore, VP Water Law & Policy

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On May 16, 2018, at 5:13 PM, Kelsey Tamborrino <[ktamborrino@politico.com](mailto:ktamborrino@politico.com)> wrote:

Hi –

In regard to the press release just sent on General Counsel Matt Leopold's first open house with stakeholders, can you provide the names of the eight industry organizations mentioned?

Thank you,  
Kelsey

Kelsey Tamborrino  
Energy Reporter  
**POLITICOPro**  
(703) 842-1757  
[@kelseytm](mailto:@kelseytm)  
[ktamborrino@politico.com](mailto:ktamborrino@politico.com)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 5/16/2018 9:56:59 PM  
**To:** Steve Davies [steve@agri-pulse.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: EPA General Counsel Matt Leopold Holds First Open House with Stakeholders

Steve, for attribution to US EPA, please:

ATTENDEES:

**American Petroleum Institute** (attending)  
John Wagner, Managing Counsel

**Association of American Railroads**(attending)  
Alice Koethe, Counsel-Environmental & Hazmat

**Information Technology Industry Council**(attending)  
Rick Goss, Senior Vice President, Environment and Sustainability

**National Association of Home Builders**(attending)  
Thomas Ward, VP Litigation and Legal Advocacy

**National Association of Manufacturers**(attending)  
Rachel Jones, Senior Director, Energy and Resources Policy

**National Cattlemen's Beef Association**(attending)  
Scott Yager, Chief Environmental Counsel  
Mary-Thomas Hart, Deputy Environmental Counsel

**National Mining Association** (attending)  
Amanda Aspatore, VP Water Law & Policy

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On May 16, 2018, at 5:14 PM, Steve Davies <[steve@agri-pulse.com](mailto:steve@agri-pulse.com)> wrote:

which organizations were represented? Thank you

-----  
Steve Davies  
Associate Editor  
202-744-1535  
[steve@agri-pulse.com](mailto:steve@agri-pulse.com)

Agri-Pulse Communications, Inc.  
1400 Independence Ave. SW, Room 1639  
Washington, DC 20250  
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On Wed, May 16, 2018 at 4:46 PM, EPA Press Office <[press@epa.gov](mailto:press@epa.gov)> wrote:



U.S. ENVIRONMENTAL PROTECTION AGENCY  
**NEWS RELEASE**  
WWW.EPA.GOV/NEWSROOM

## EPA General Counsel Matt Leopold Holds First Open House with Stakeholders

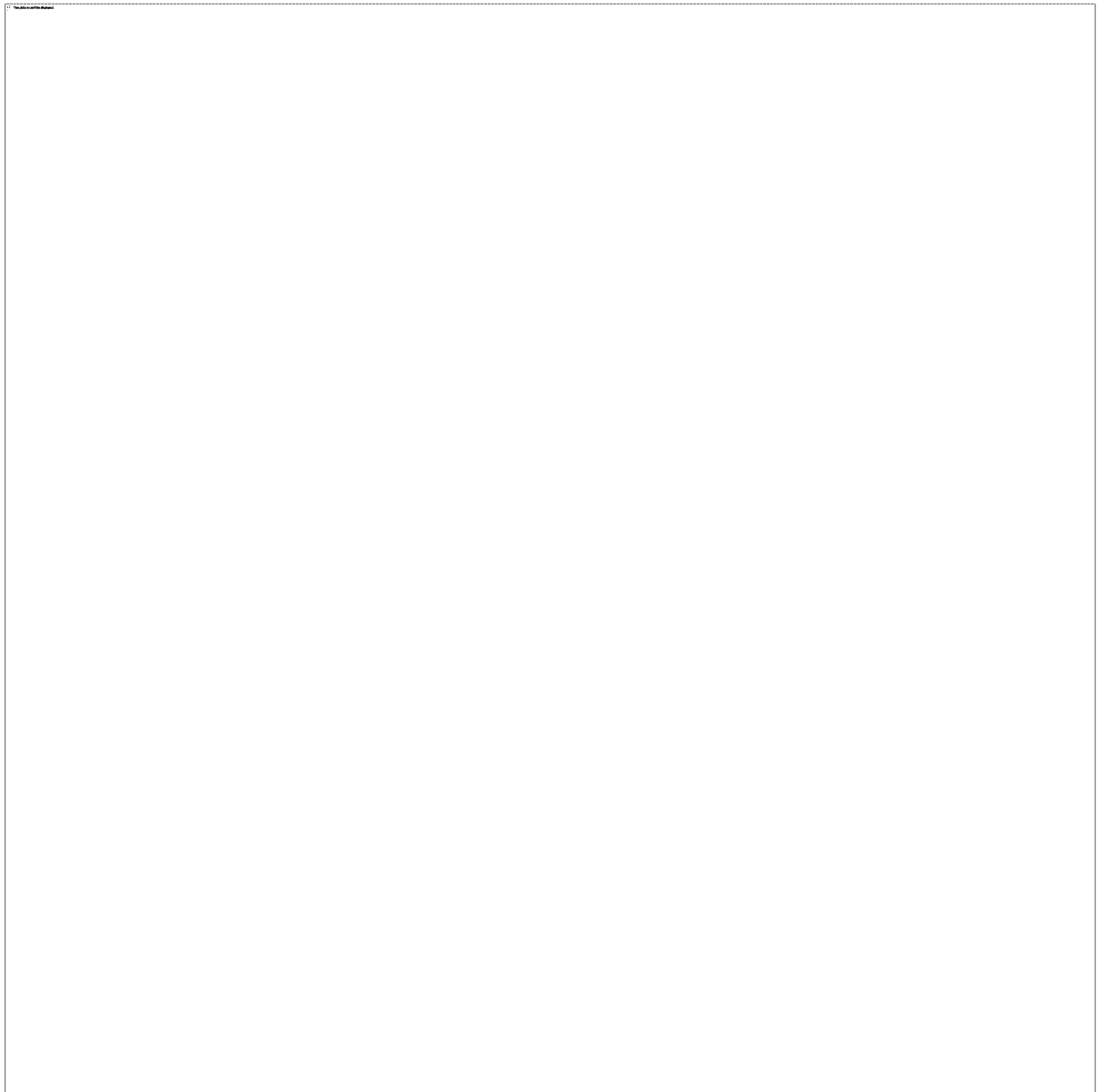
**WASHINGTON (May 16, 2018)** - Today, U.S. Environmental Protection Agency (EPA) General Counsel Matthew Z. Leopold met with senior representatives of eight industry organizations. These stakeholders are the first to meet the General Counsel in an “Open House” forum to learn about his priorities, legal issues facing EPA, and how he plans to advance the President’s environmental and regulatory agenda. Mr. Leopold plans to hold similar meetings with The Environmental Council of the States, non-governmental advocates, as well as state agency representatives to broaden the conversation.

**“I appreciate the opportunity to partner with the regulated community to advance environmental protections and common sense regulations that allow our economy to continue to thrive,”** said EPA General Counsel Leopold.

Topics of discussion included the General Counsel’s priorities, the implementation of the 2017 “Transparency in Litigation” directive, and the Agency’s efforts to promote cooperative federalism and the rule of law.



General Counsel Matt Leopold leads the open house with general counsels from stakeholders.



EPA Deputy General Counsel meets with Rachel Jones of NAM (left) and CarolAnn Siciliano of Cross Cutting Issues Law Office.

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U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004







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Message

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 5/16/2018 7:23:33 PM  
**To:** Bolen, Brittany [bolen.brittany@epa.gov]  
**CC:** Lovell, Will (William) [lovell.william@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** Re: E&E News inquiry regarding reg reform task force

Ex. 5 Deliberative Process (DP) Thanks.

Sent from my iPhone

On May 16, 2018, at 3:22 PM, Bolen, Brittany <bolen.brittany@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

On May 16, 2018, at 3:06 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Brittany- Our good friend Maxine is looking for a comment on who is leading the RR task force after Sam left. She's planning on writing with all the recent FOIA dumps about the task force.

Ex. 5 Deliberative Process (DP)

DRAFT: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

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**From:** Maxine Joselow [mailto:mjoselow@eenews.net]  
**Sent:** Wednesday, May 16, 2018 2:56 PM  
**To:** Abboud, Michael <abboud.michael@epa.gov>  
**Subject:** RE: E&E News inquiry regarding reg reform task force

And I am also still hoping to get a comment/statement from you about the lack of an RRO after Dravis' departure. Thanks.

---

**From:** Maxine Joselow  
**Sent:** Wednesday, May 16, 2018 2:18 PM  
**To:** 'Abboud, Michael' <abboud.michael@epa.gov>  
**Subject:** RE: E&E News inquiry regarding reg reform task force

Hey Michael,

Thanks so much for giving me a call this morning. Hope your day hasn't been too hectic with the hearings.

I am not doing a story on Justina and the names of the regulatory reform task force members. However, I *am* doing a story for tomorrow on the FOIA documents that were

released by EPA yesterday to the Southern Environmental Law Center, available here:  
<https://foiaonline.regulations.gov/foia/action/public/view/record?objectId=090004d281925cea>

I plan on mentioning the fact that the National Association of Manufacturers made several suggestions to the task force, including for a proposal similar to EPA Administrator Scott Pruitt's "secret science" plan (page 188). And I plan on noting that on page 167, EPA's Patrick Davis wrote to colleagues, "I found these recommendations from NAM to be helpful."

Would you be able to provide a comment from EPA on this? My deadline for this story is **noon tomorrow (Thursday)**. As always, feel free to call if you'd prefer to discuss on background first.

Thanks again.

---

**From:** Maxine Joselow  
**Sent:** Tuesday, May 15, 2018 5:39 PM  
**To:** 'Abboud, Michael' <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Subject:** RE: E&E News inquiry regarding reg reform task force

Sure thing.

---

**From:** Abboud, Michael [<mailto:abboud.michael@epa.gov>]  
**Sent:** Tuesday, May 15, 2018 5:38 PM  
**To:** Maxine Joselow <[mjoselow@eenews.net](mailto:mjoselow@eenews.net)>  
**Subject:** Re: E&E News inquiry regarding reg reform task force

Yeah I actually just got in touch with her, can I call you tomorrow morning?

Sent from my iPhone

On May 15, 2018, at 4:49 PM, Maxine Joselow <[mjoselow@eenews.net](mailto:mjoselow@eenews.net)> wrote:

Hey Michael,

Thanks so much for giving me a call yesterday. Have you gotten in touch with Justina yet about this? No worries if not; my deadline is tomorrow. Just figured I'd check in.

Maxine

---

**From:** Maxine Joselow  
**Sent:** Monday, May 14, 2018 3:50 PM  
**To:** 'Abboud, Michael' <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: E&E News inquiry regarding reg reform task force

Hey Michael, one other related request – I was also hoping you could provide an update on who will become regulatory reform officer of the task force now that Samantha Dravis has left the agency. Thanks again.

---

**From:** Maxine Joselow  
**Sent:** Monday, May 14, 2018 2:50 PM  
**To:** 'Abboud, Michael' <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** E&E News inquiry regarding reg reform task force

Hi Michael,

I hope this email finds you well. I'm currently looking through [documents](#) obtained by the Southern Environmental Law Center under Freedom of Information Act litigation. I'm particularly interested in the attached email from EPA's senior counsel for ethics, Justina Fugh, about whether members of EPA's regulatory reform task force had received ethics training.

I was hoping you could provide a comment or statement addressing why Fugh didn't know all the task force members' names, and whether this was unusual or posed an ethical problem, etc. If you'd prefer to discuss this on background before providing a comment or statement on the record for attribution from an EPA spokesman, please don't hesitate to give me a call. This may potentially turn into a story that would be published no earlier than this Wednesday.

Thank you for your consideration and looking forward to hearing back.

Best,  
Maxine  
--

Maxine Joselow  
E&E News reporter  
202-737-4369  
[@maxinejoselow](https://twitter.com/maxinejoselow)

**E&E NEWS**

122 C Street NW 7th Floor Washington, DC 20001  
[www.eenews.net](http://www.eenews.net) | [@EENewsUpdates](https://twitter.com/EENewsUpdates)  
Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

---

**From:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Sent:** 5/16/2018 6:20:28 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]  
**Subject:** RE: E&E News inquiry regarding reg reform task force

**Ex. 5 Deliberative Process (DP)**

---

**From:** Abboud, Michael  
**Sent:** Wednesday, May 16, 2018 2:20 PM  
**To:** Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** FW: E&E News inquiry regarding reg reform task force

My feeling on this inquiry is to **Ex. 5 Deliberative Process (DP)**

---

**From:** Maxine Joselow [mailto:mjoselow@eenews.net]  
**Sent:** Wednesday, May 16, 2018 2:18 PM  
**To:** Abboud, Michael <abboud.michael@epa.gov>  
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**Sent:** Tuesday, May 15, 2018 5:39 PM  
**To:** 'Abboud, Michael' <abboud.michael@epa.gov>  
**Subject:** RE: E&E News inquiry regarding reg reform task force

Sure thing.

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**From:** Abboud, Michael [mailto:abboud.michael@epa.gov]  
**Sent:** Tuesday, May 15, 2018 5:38 PM

**To:** Maxine Joselow <mjoselow@eenews.net>

**Subject:** Re: E&E News inquiry regarding reg reform task force

Yeah I actually just got in touch with her, can I call you tomorrow morning?

Sent from my iPhone

On May 15, 2018, at 4:49 PM, Maxine Joselow <mjoselow@eenews.net> wrote:

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Maxine

---

**From:** Maxine Joselow

**Sent:** Monday, May 14, 2018 3:50 PM

**To:** 'Abboud, Michael' <abboud.michael@epa.gov>

**Cc:** Press <Press@epa.gov>

**Subject:** RE: E&E News inquiry regarding reg reform task force

Hey Michael, one other related request – I was also hoping you could provide an update on who will become regulatory reform officer of the task force now that Samantha Dravis has left the agency. Thanks again.

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**From:** Maxine Joselow

**Sent:** Monday, May 14, 2018 2:50 PM

**To:** 'Abboud, Michael' <abboud.michael@epa.gov>

**Cc:** Press <Press@epa.gov>

**Subject:** E&E News inquiry regarding reg reform task force

Hi Michael,

I hope this email finds you well. I'm currently looking through documents obtained by the Southern Environmental Law Center under Freedom of Information Act litigation. I'm particularly interested in the attached email from EPA's senior counsel for ethics, Justina Fugh, about whether members of EPA's regulatory reform task force had received ethics training.

I was hoping you could provide a comment or statement addressing why Fugh didn't know all the task force members' names, and whether this was unusual or posed an ethical problem, etc. If you'd prefer to discuss this on background before providing a comment or statement on the record for attribution from an EPA spokesman, please don't hesitate to give me a call. This may potentially turn into a story that would be published no earlier than this Wednesday.

Thank you for your consideration and looking forward to hearing back.

Best,

Maxine

--

Maxine Joselow

E&E News reporter

202-737-4369

@maxinejoselow

**E&E NEWS**

122 C Street NW 7th Floor Washington, DC 20001

www.eenews.net | @EENewsUpdates

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

---

**From:** Konkus, John [konkus.john@epa.gov]  
**Sent:** 5/15/2018 9:45:16 PM  
**To:** Daniell, Kelsi [daniell.kelsi@epa.gov]  
**CC:** Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** Re: E&E News inquiry regarding EPA rulemaking

Ok

Sent from my iPhone

On May 15, 2018, at 5:42 PM, Daniell, Kelsi <daniell.kelsi@epa.gov> wrote:

This is good. Konkus and Jahan?

Sent from my iPhone

On May 15, 2018, at 4:56 PM, Block, Molly <block.molly@epa.gov> wrote:

We've used this before: **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

---

**From:** Maxine Joselow [mailto:mjoselow@eenews.net]  
**Sent:** Tuesday, May 15, 2018 4:54 PM  
**To:** Press <Press@epa.gov>  
**Subject:** E&E News inquiry regarding EPA rulemaking

Hello,

I'm a reporter for E&E News who is doing a story about an EPA proposal sent to the Office of Management and Budget titled "Increasing Consistency and Transparency in Considering Costs and Benefits in the Rulemaking Process":  
<https://www.reginfo.gov/public/do/eom12866SearchResults?pubId=201710&rin=2010-AA12&viewRule=true>

I was hoping someone on EPA's press team could answer the following questions:

- What is the goal of this proposal? Is it simply to improve the consistency and transparency of the agency's cost-benefit analyses of major regulations?
- I understand that this is in the prerule stage. When will a formal proposed rule be published in the Federal Register?
- According to the site [reginfo.gov](https://www.reginfo.gov), EPA has held meetings about this proposal with the National Association of Manufacturers, American Petroleum Institute and American Forest & Paper Association. What was discussed at those meetings?
- How does this proposal relate to EPA Administrator Scott Pruitt's "secret science" plan, if at all?

My deadline is Thursday at noon. Please don't hesitate to give me a call at 202-737-4369 if you would like to discuss this off the record before providing comments for attribution



to an EPA spokesperson. Thanks for your consideration and looking forward to hearing back.

Sincerely,  
Maxine

--

Maxine Joselow  
E&E News reporter  
202-737-4369  
[@maxinejoselow](mailto:@maxinejoselow)

**E&E NEWS**

122 C Street NW 7th Floor Washington, DC 20001

[www.eenews.net](http://www.eenews.net) | [@EENewsUpdates](https://twitter.com/EENewsUpdates)

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 5/15/2018 3:17:17 PM  
**To:** Gordon, Meghan [meghan.gordon@spglobal.com]  
**CC:** Block, Molly [block.molly@epa.gov]  
**Subject:** RE: Small refinery waivers

Hey Meghan,

Let me check.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Tuesday, May 15, 2018 11:16 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Small refinery waivers

Hi Robert and Molly,

Are there any updates to the small refinery waivers for 2017?

Last I had was 25 approved out of 30 petitions received.

Thanks,  
Meghan

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Monday, April 30, 2018 5:14 PM  
**To:** Gordon, Meghan  
**Cc:** Block, Molly  
**Subject:** RE: Small refinery waivers

Thanks, Meghan. Are you on immediate deadline? Or can we circle back tomorrow in the AM?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency

Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Monday, April 30, 2018 5:13 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Small refinery waivers

Thanks again for your help on this issue.

Are the numbers below still current? Is CVR one of the 25 plants that received a waiver?

Thanks,  
Meghan

---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]  
**Sent:** Tuesday, April 24, 2018 1:31 PM  
**To:** Block, Molly; Gordon, Meghan; Press  
**Subject:** RE: Small refinery waivers

Also, Meghan, and on background, please:

A slight update. For 2017 we have now received 30 petitions, but have not approved any more beyond the 25 already noted.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Block, Molly  
**Sent:** Tuesday, April 24, 2018 1:11 PM  
**To:** Gordon, Meghan <[meghan.gordon@spglobal.com](mailto:meghan.gordon@spglobal.com)>; Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Small refinery waivers

Meghan –

Still checking on the numbers, but in the meantime:

“There is not consensus on the regulatory path forward on the E15 RVP waiver and related issues.”

On the waivers:

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about

refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete.” **Liz Bowman, EPA spokesperson**

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
- During the Obama Administration, there was often disagreement by EPA with DOE’s recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency’s viability analysis employed by the previous administration to be inconsistent with congress’s intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA’s requirement that refineries demonstrate an “existential threat” to their long-term viability as the standard for demonstrating “disproportionate economic hardship” inconsistent with EPA’s statutory authority and vacated a previously denied hardship exemption and remanded Sinclair’s hardship petitions back to EPA for further consideration.
- In 2016, EPA received 20 petitions and granted 19 based on DOE’s recommendation.

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]

**Sent:** Tuesday, April 24, 2018 11:45 AM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Small refinery waivers

Hi Robert and press team,

How many 2017 small refinery waivers has EPA granted? Checking for any updates to the previous figures of 25 granted out of 29 petitions received.

Ahead of Administrator Pruitt’s testimony later this week, can you share why the agency considers these waivers as important and justified under the RFS? Just looking for some more color for a curtain raiser.

Many thanks,  
Meghan

Meghan Gordon  
S&P Global Platts  
(202) 383-2001 office  

Ex. 6 Personal Privacy (PP)

 cell

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Message

---

**From:** Colip, Matthew [colip.matthew@epa.gov]  
**Sent:** 6/19/2018 9:16:09 PM  
**To:** Block, Molly [block.molly@epa.gov]; Deegan, Dave [Deegan.Dave@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]  
**CC:** Gutro, Doug [Gutro.Doug@epa.gov]; Manges, Ellen [Manges.Ellen@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]  
**Subject:** RE: Query from the Associated Press about Pease Superfund cleanup

If this hasn't gone out yet, we may want to

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

---

**From:** Colip, Matthew  
**Sent:** Tuesday, June 19, 2018 4:16 PM  
**To:** Block, Molly <block.molly@epa.gov>; Deegan, Dave <Deegan.Dave@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Cc:** Gutro, Doug <Gutro.Doug@epa.gov>; Manges, Ellen <Manges.Ellen@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>  
**Subject:** RE: Query from the Associated Press about Pease Superfund cleanup

Closing the loop on this, we don't have input to add to R1's proposed response

Thanks,  
Matt

Matthew Colip  
Office of Communications, Partnerships and Analysis  
Office of Land and Emergency Management (OLEM)  
U.S. Environmental Protection Agency  
Office: 202-566-2641  
Mobile: Ex. 6 Personal Privacy (PP)  
[Follow us on Twitter @EPALand](#)

---

**From:** Block, Molly  
**Sent:** Tuesday, June 19, 2018 2:59 PM  
**To:** Deegan, Dave <Deegan.Dave@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

**Cc:** Gutro, Doug <Gutro.Doug@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Manges, Ellen <Manges.Ellen@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>

**Subject:** RE: Query from the Associated Press about Pease Superfund cleanup

That's fine to share on background – not for attribution. But let's make sure they reach out to the Air Force/DOD on specifics.

---

**From:** Deegan, Dave

**Sent:** Tuesday, June 19, 2018 1:45 PM

**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Block, Molly <block.molly@epa.gov>

**Cc:** Gutro, Doug <Gutro.Doug@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Manges, Ellen <Manges.Ellen@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>

**Subject:** RE: Query from the Associated Press about Pease Superfund cleanup

Hi All,

Here's some suggested language on status etc. from our team. Any update on how HQ would like to proceed on this? Thus far I have not contacted the reporter, even to acknowledge receipt of the inquiry. Also please note, due to the email problems today, we have not yet received name and contact info for an Air Force public information officer.

Dave

>>>

## Ex. 5 Deliberative Process (DP)

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Dave Deegan

U.S. EPA, New England Regional Office

Office of Public Affairs

Media Relations | Social Media | Web Content

phone: 617.918.1017 | mobile: Ex. 6 Personal Privacy (PP)

email: [deegan.dave@epa.gov](mailto:deegan.dave@epa.gov)



---

**From:** Grantham, Nancy

**Sent:** Tuesday, June 19, 2018 9:30 AM

**To:** Deegan, Dave <Deegan.Dave@epa.gov>; Block, Molly <block.molly@epa.gov>

**Cc:** Gutro, Doug <Gutro.Doug@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Manges, Ellen <Manges.Ellen@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>

**Subject:** RE: Query from the Associated Press about Pease Superfund cleanup

Also looping in ow and olem comms thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
Ex. 6 Personal Privacy (PP) (mobile)

---

**From:** Deegan, Dave  
**Sent:** Tuesday, June 19, 2018 9:27 AM  
**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Cc:** Gutro, Doug <Gutro.Doug@epa.gov>; Deegan, Dave <Deegan.Dave@epa.gov>  
**Subject:** FW: Query from the Associated Press about Pease Superfund cleanup

Hi Nancy and Molly,

Wanted to alert you to this inquiry from AP regarding Pease Air Force Base/SF Site. Please note, the reporter is based in Denver so this maybe is part of a larger inquiry, possibly related to PFAS.

After initial consultation with our SF site team and management, we believe Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Please let me know if this is what you prefer, or how you want us to assist.

Thanks!  
Dave

~~~~~

Dave Deegan  
U.S. EPA, New England Regional Office  
Office of Public Affairs  
Media Relations | Social Media | Web Content  
phone: 617.918.1017 | mobile: Ex. 6 Personal Privacy (PP)  
email: [deegan.dave@epa.gov](mailto:deegan.dave@epa.gov)



---

**From:** Dumville, Kelsey  
**Sent:** Tuesday, June 19, 2018 6:38 AM  
**To:** Daly, Michael <Daly.Mike@epa.gov>  
**Cc:** Deegan, Dave <Deegan.Dave@epa.gov>  
**Subject:** Fwd: Query from the Associated Press about Pease Superfund cleanup

Begin forwarded message:

**From:** "Elliott, Dan" <delliott@ap.org>  
**Date:** June 18, 2018 at 6:45:17 PM EDT  
**To:** "dumville.kelsey@epa.gov" <dumville.kelsey@epa.gov>  
**Subject:** Query from the Associated Press about Pease Superfund cleanup

Kelsey:



I'm a reporter with the Associated Press, researching a story on former military and weapons sites that have been converted into wildlife refuges, and I have some questions about the Pease Air Force Base Superfund site:

1. Who is in charge of the cleanup -- EPA, the Air Force or some combination?
2. Is the cleanup complete?
3. If so, what was the completion date? If not, do you have a projected completion date?
4. How much has the cleanup cost to date?
5. If the cleanup is still underway, how much is it expected to cost total?
6. Is the Air Force a potentially responsible party?
7. If so, how much of the cleanup costs has the Air Force paid to date, and how much total is it expected to pay?
8. Have any other potentially responsible parties been identified?

Can you help, or can you refer me to someone who can? I don't have a firm deadline but I'm hoping to nail this down by the June 27.

Thank you.

Dan Elliott



**ASSOCIATED PRESS**

**Dan Elliott**

303-825-0123 (Office)

Ex. 6 Personal Privacy (PP) (Mobile)

[delliott@ap.org](mailto:delliott@ap.org)

@DanElliottAP

<http://bigstory.ap.org/content/dan-elliott>

1120 Lincoln St.

Suite 901

Denver, CO 80203

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Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 6/19/2018 3:19:42 PM  
**To:** Press [Press@epa.gov]  
**Subject:** RE: For Review: Science Magazine - methane emissions - 6/20

UPDATE: The program is now asking us to send this one. Please advise

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, June 19, 2018 11:17 AM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Science Magazine - methane emissions - 6/20

From the program. OK to send for attribution to a spokesperson?

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

**From:** Warren Cornwall [mailto:**Ex. 6 Personal Privacy (PP)**]  
**Sent:** Monday, June 18, 2018 1:52 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Journalist for Science re. methane emissions

Hello,

I'm a correspondent for Science magazine. I'm writing a story about a new study appearing in Science this week evaluating methane emissions related to oil and gas facilities.

It finds that emissions from oil and gas facilities are approximately 60% higher than EPA estimates for the agency's greenhouse gas inventory. The primary explanation is that the study captures emissions from a small number of "super emitters" - facilities that have unusually high emissions.

I would like to talk with someone at EPA who works on methane emission inventories, to get a better understanding of how EPA does those emissions, and how that compares to the methods used in the new paper.

I am on deadline for Wednesday at noon. I can be reached via e-mail, or on my cell phone at [Ex. 6 Personal Privacy (PP)]

Thanks for your help. I look forward to talking.

Best,

Warren

Warren Cornwall

[Ex. 6 Personal Privacy (PP)]

C: [Ex. 6 Personal Privacy (PP)]

O: 360-603-4249

Skype: warren.cornwall (near Seattle)

Encrypted, confidential correspondence: Signal texting app to [Ex. 6 Personal Privacy (PP)]

<http://warrencornwall.wordpress.com>

Twitter: @WarrenCornwall

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 8/3/2018 8:11:59 PM  
**To:** Kelly Franklin [kelly.franklin@chemicalwatch.com]; Press [Press@epa.gov]  
**Subject:** RE: Media inquiry: Acting Administrator conflicts of interest

Kelly, for attribution to "an EPA Spokesperson," please:

-Can you comment on the assertion that EPA *"intends to abandon its November 2017 'New Chemicals Decision-Making Framework'"*?

The Framework articulates a working approach, and is a policy statement that does not control individual determinations. As such, EPA intends to adapt its approach as appropriate through experience with individual cases as well as in response to public comments.

-Can you comment on the assertion that EPA *"intends to abandon its November 2017 'New Chemicals Decision-Making Framework'"*?

The Framework articulates a working approach, and is a policy statement that does not control individual determinations. As such, EPA intends to adapt its approach as appropriate through experience with individual cases as well as in response to public comments.

- What is the agency's current approach to issuing a SNUR alongside a "not likely to present an unreasonable risk" determination? The EDF charges: *"Initially, EPA staff indicated the "not likely" finding would be made only once a final SNUR had been promulgated. That then slipped to have issuance of the finding coincide with the proposal of the SNUR. That then slipped further to allow the finding to be issued based on EPA's mere intent to develop a SNUR. Now, however, the Trump EPA plans to decouple completely its ability to issue a "not likely" finding from any dependency at all on promulgation of a SNUR."* Can you confirm the accuracy of this? If there have been changes over time to how it is using SNURs, what is the reasoning behind that evolution?

As stated in the Framework, there are circumstances where EPA may make a "not likely" determination supported by the issuance of a SNUR to address any concerns it may have for reasonably foreseen uses. In other circumstances, the Agency may make "not likely" determinations for submissions for which EPA has not identified any reasonably foreseen uses but still issues a SNUR to ensure that EPA receives notice of intent to initiate a significant new use of the chemical substance.

- Do you care to respond to EDF's claim that EPA *"apparently intends to so narrowly define "reasonably foreseen" as to render it effectively the same as "intended"?"*

Reasonably foreseen conditions of use are *future* circumstances, distinct from intended conditions of use described in a PMN, under which the Administrator expects the chemical substance to be manufactured, processed, distributed, used, or disposed of. The identification of "reasonably foreseen" conditions of use will necessarily be a case-by-case determination and will be highly fact-specific. Reasonably foreseen conditions of use will not be based on hypotheticals or conjecture. Accordingly, EPA will apply its professional judgment, experience, and discretion when considering whether there are reasonably foreseen uses.

- If what EDF says about SNURs is correct - that the agency does not intent to routinely issue SNURs alongside 'not likely' findings - how does EPA plan to safeguard against potentially concerning uses of new substances, beyond those uses outlined in PMN?

EPA will protect against uses of concern as necessary in individual cases. Where reasonably foreseen uses are of concern, the Agency will consider the appropriateness of a SNUR, or may take action under TSCA Section 5(e) or 5(f). In addition, the Agency may issue SNURs to address new uses that were not reasonably foreseen.

- Do you care to respond to EDF's assertion that EPA *"appears intent on never imposing testing requirements on new chemicals"*? Is this true? If not, can you provide any examples?

TSCA section 5(A)(3)(B) includes a determination that indicates when "the information available to the Administrator is insufficient to permit a reasoned evaluation of the health and environmental effects ..." the Administrator shall take the actions required under TSCA section 5(e), which is to regulate pending development of information. In cases where EPA makes the 5(A)(3)(B) determination, TSCA requires that EPA issue an order that will generally require such data.

Since June 22, 2016, EPA has issued 425 TSCA Section 5 consent orders that include testing requirements, and will continue to do so when the requisite determination is made. In accordance with the provisions of TSCA section 4(h), EPA is modifying language in its legal documents, such as consent orders, describing test requirements to reflect a preference for tiered testing and use of non-vertebrate testing strategies first and using that test data to inform whether higher tiered testing (including testing of vertebrates) is necessary.

- The EDF claims that changes being pushed by political appointees will lead to inconsistent decisions in similar cases. Can you address how the EPA is ensuring consistency across the new chemicals review program?

EPA strives to be consistent in applying scientific approaches and data, but must also consider chemical- and site-specific circumstances relative to each PMN case.

- Would you like to respond to the charge that changes to the program will result in "rubber stamping" of new chemicals?

This is simply incorrect. EPA evaluates each PMN submission on the facts provided in the PMN. EPA scientists and engineers review and evaluate data and information submitted as well as information from analogues; these professionals also use exposure and predictive hazard models to evaluate the potential risks of PMN substances. Each of these evaluations involves data and information that are specific to the PMN substance and the facts provided with the PMN. Hence, each PMN evaluation is unique and based on a specific set of information and data. When risks are identified, EPA works with submitters to address such risks. This process involves data review and analysis by professional scientists and engineers as well as communication between EPA program managers and chemical companies. As a result of these substantial risk assessment and management efforts, EPA makes a determination consistent with the provisions of TSCA section 5.

- Is there any data on 'not likely' findings, test orders and promulgated SNURs that you could share with me?

EPA maintains a list of Chemicals Determined Not Likely to Present an Unreasonable Risk Following Pre-Manufacture Notification Review, along with links to each of the determination documents, on its website at: <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/chemicals-determined-not-likely>

Testing that is part of a Consent Order may be found in the Consent Order for an individual PMN. EPA maintains a webpage entitled, Status of Pre-Manufacture Notices reviewed under Section 5 of the Toxic Substances Control Act (TSCA) at:

<https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices>

On this page, for each PMN that had a Consent Order associated with the final disposition, a link to that Consent Order is provided in the table.

Consent orders and SNURs may also be accessed via EPA's ChemView <https://chemview.epa.gov/chemview>, by clicking on *TSCA section 5 orders* or *Significant new use rules*, respectively, as an output under *EPA actions*.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Kelly Franklin [mailto:kelly.franklin@chemicalwatch.com]  
**Sent:** Monday, July 16, 2018 12:07 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Media inquiry: Acting Administrator conflicts of interest

Good morning,

I hope you're doing well. I'm working on an article regarding Acting Administrator Wheeler's previous work experiences, and I was wondering if the EPA could provide any insights into how potential conflicts of interest will be managed. Are there any specific issues, companies, or areas that Mr. Wheeler will recuse himself from involvement in?

As part of this story, I'm reporting on concerns from the NGO community that release of the IRIS draft formaldehyde assessment is being held up, and that Mr. Wheeler's previous involvement with Celanese Corporation - a formaldehyde manufacturer - is troubling. Can you provide any updates on the IRIS assessment, and/or the Acting Administrator's involvement with it going forward?

My deadline is end of day tomorrow (Tuesday).

Thanks,  
Kelly

--

**Kelly Franklin**

North America Editor  
Chemical Watch

Mobile: Ex. 6 Personal Privacy (PP)  
Email: [kelly.franklin@chemicalwatch.com](mailto:kelly.franklin@chemicalwatch.com)  
[www.chemicalwatch.com](http://www.chemicalwatch.com)

**ChemicalWatch**  
GLOBAL RISK & REGULATION NEWS

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 8/3/2018 8:08:41 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review (Chemical Watch - K. Franklin) - Changes to TSCA new chemicals program

Good to send.

---

**From:** Daguillard, Robert  
**Sent:** Friday, August 3, 2018 3:22 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review (Chemical Watch - K. Franklin) - Changes to TSCA new chemicals program

From the program: OK to send for attribution?

8/3/18

-Can you comment on the assertion that EPA *"intends to abandon its November 2017 'New Chemicals Decision-Making Framework'"*?

## Ex. 5 Deliberative Process (DP)

- What is the agency's current approach to issuing a SNUR alongside a "not likely to present an unreasonable risk" determination? The EDF charges: *"Initially, EPA staff indicated the "not likely" finding would be made only once a final SNUR had been promulgated. That then slipped to have issuance of the finding coincide with the proposal of the SNUR. That then slipped further to allow the finding to be issued based on EPA's mere intent to develop a SNUR. Now, however, the Trump EPA plans to decouple completely its ability to issue a "not likely" finding from any dependency at all on promulgation of a SNUR."* Can you confirm the accuracy of this? If there have been changes over time to how it is using SNURs, what is the reasoning behind that evolution?

## Ex. 5 Deliberative Process (DP)

- Do you care to respond to EDF's claim that EPA *"apparently intends to so narrowly define "reasonably foreseen" as to render it effectively the same as "intended"?*

## Ex. 5 Deliberative Process (DP)

- If what EDF says about SNURs is correct - that the agency does not intent to routinely issue SNURs alongside 'not likely' findings - how does EPA plan to safeguard against potentially concerning uses of new substances, beyond those uses outlined in PMN?

## **Ex. 5 Deliberative Process (DP)**

- Do you care to respond to EDF's assertion that EPA *"appears intent on never imposing testing requirements on new chemicals"*? Is this true? If not, can you provide any examples?

## **Ex. 5 Deliberative Process (DP)**

- The EDF claims that changes being pushed by political appointees will lead to inconsistent decisions in similar cases. Can you address how the EPA is ensuring consistency across the new chemicals review program?

## **Ex. 5 Deliberative Process (DP)**

- Would you like to respond to the charge that changes to the program will result in "rubber stamping" of new chemicals?

## **Ex. 5 Deliberative Process (DP)**

- Is there any data on 'not likely' findings, test orders and promulgated SNURs that you could share with me?

## **Ex. 5 Deliberative Process (DP)**



# Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Kelly Franklin [<mailto:kelly.franklin@chemicalwatch.com>]  
**Sent:** Thursday, July 19, 2018 2:47 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Media inquiry: Changes to TSCA new chemicals program

Hi Robert,

I expect EPA has seen the recent Environmental Defense Fund [blog post](#), "Trump's EPA pivots yet again on reviews of new chemicals under TSCA, leaving public and worker health in the dust".

I would really like to hear EPA's response to the various concerns raised in this report. Would the agency be willing to comment on some or all of the following:

- Can you comment on the assertion that EPA *"intends to abandon its November 2017 'New Chemicals Decision-Making Framework'"*?
- What is the agency's current approach to issuing a SNUR alongside a "not likely to present an unreasonable risk" determination? The EDF charges: *"Initially, EPA staff indicated the 'not likely' finding would be made only once a final SNUR had been promulgated. That then slipped to have issuance of the finding coincide with the proposal of the SNUR. That then slipped further to allow the finding to be issued based on EPA's mere intent to develop a SNUR. Now, however, the Trump EPA plans to decouple completely its ability to issue a 'not likely' finding from any dependency at all on promulgation of a SNUR."* Can you confirm the accuracy of this? If there have been changes over time to how it is using SNURs, what is the reasoning behind that evolution?
- Do you care to respond to EDF's claim that EPA *"apparently intends to so narrowly define 'reasonably foreseen' as to render it effectively the same as 'intended'"*?
- If what EDF says about SNURs is correct - that the agency does not intent to routinely issue SNURs alongside 'not likely' findings - how does EPA plan to safeguard against potentially concerning uses of new substances, beyond those uses outlined in PMN?
- Do you care to respond to EDF's assertion that EPA *"appears intent on never imposing testing requirements on new chemicals"*? Is this true? If not, can you provide any examples?
- The EDF claims that changes being pushed by political appointees will lead to inconsistent decisions in similar cases. Can you address how the EPA is ensuring consistency across the new chemicals review program?
- Would you like to respond to the charge that changes to the program will result in "rubber stamping" of new chemicals?
- Is there any data on 'not likely' findings, test orders and promulgated SNURs that you could share with me?

My deadline is end of day Tuesday, though any information that you could give me ahead of then would be most appreciated. I think our readers would be really interested to hear EPA's perspectives on this issue.

All best,  
Kelly

--

**Kelly Franklin**

North America Editor  
Chemical Watch

Mobile: Ex. 6 Personal Privacy (PP)

Email: [kelly.franklin@chemicalwatch.com](mailto:kelly.franklin@chemicalwatch.com)

[www.chemicalwatch.com](http://www.chemicalwatch.com)



Message

---

**From:** Hewitt, James [hewitt.james@epa.gov]  
**Sent:** 8/2/2018 10:16:42 PM  
**To:** Elliott, Dan [delliott@ap.org]  
**CC:** Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** Re: Gold king info

We have not paid any tort claims related to the gold king release.

On Aug 2, 2018, at 6:15 PM, Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)> wrote:

Dan,

You may attribute the first highlighted paragraph to EPA Spokesperson James Hewitt.

I am checking on your second question. And You're third question is correct.

Sent from my iPhone

On Aug 2, 2018, at 6:08 PM, Elliott, Dan <[delliott@ap.org](mailto:delliott@ap.org)> wrote:

James:

Thank you. This is very helpful.

It's possible that the Colorado official I spoke with heard about the EPA letters seeking clarification or more information, and somewhere along the chain of communication they were misrepresented as offer letters.

Three follow-up questions to your email:

1. Please define "on background." I would like to use the information in the fourth and fifth paragraphs in your email, highlighted in yellow below, in my story and attributed to someone by name, because they show the EPA is in fact actively reviewing the claims as then-administrator Pruitt promised. Otherwise, all I have on the record for attribution is Molly's email from yesterday which said, "We have no further information at the moment." I have quotes from two people who filed claims and have heard nothing from the agency, and I have some unhappy-sounding comments from lawmakers who apparently aren't aware of the steps you outlined. Altogether, what I have on the record leaves the impression that the EPA has done very little or nothing. I don't want to leave that impression if it's not accurate.
2. Is it accurate to say that although the review is continuing, no tort claims have been paid yet?
3. Does OGC stand for the EPA's Office of General Counsel?

Thank you.

Dan



**ASSOCIATED PRESS**

**Dan Elliott**

303-825-0123 (Office)

Ex. 6 Personal Privacy (PP) (Mobile)

[delliott@ap.org](mailto:delliott@ap.org)

@DanElliottAP

<http://bigstory.ap.org/content/dan-elliott>

1120 Lincoln St.

Suite 901

Denver, CO 80203

---

**From:** Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>

**Sent:** Thursday, August 02, 2018 3:26 PM

**To:** Elliott, Dan <[delliott@ap.org](mailto:delliott@ap.org)>

**Cc:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>

**Subject:** Gold king info

Dan,

Molly passed along your inquiry.

EPA staff is not aware of any such "offer letters" but if you have additional information to share please do and we will look into it.

**Below is information you may used on background:**

The claims review process within OGC is continuing. We have 380 or so pending claims before the agency, including approximately 80 that were denied by the previous administration and that we are reconsidering. The deadline to file new tort claims arising from the Gold King release passed last year.

Most recently, on June 13, 2018, EPA OGC sent letters to 54 tort claimants (or their counsel, if the claimant is represented) requesting additional information or documentation to substantiate part or all of their claims. We have received a small number of responses to these requests thus far, which our staff is reviewing. As a reminder, EPA has authority to pay administrative tort claims in the amount of \$2,500 or less from EPA appropriations. For claims above that amount, any payments come from the Judgment Fund and require consultation and/or written approval from DOJ.

Because more than six months has passed since the time we received these claims and EPA has not responded to the claim within that time period, any claimant can file a lawsuit against the United States (not against EPA) on their claim. New Mexico, Utah, the Navajo Nation, and approximately 14 individuals have done so. These cases are consolidated in the District of New Mexico, and DOJ filed a motion to dismiss these cases on July 26, 2018 based on various defenses, including sovereign immunity. Once a claimant sues over a claim on which EPA has not acted, the Agency no longer has authority to act on that claim.

Best,

James

James Hewitt  
Environmental Protection Agency  
Press Secretary  
(202) 578-6141

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 5/7/2018 4:00:52 PM  
**To:** Tom Philpott [tphilpott@motherjones.com]  
**Subject:** RE: Press Inquiry about Pesticides—neonics

Thanks, Tom. You can attribute what we sent you to “an EPA spokesperson,” please.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Tom Philpott [mailto:tphilpott@motherjones.com]  
**Sent:** Monday, May 07, 2018 11:46 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Press Inquiry about Pesticides—neonics

Robert,  
Thanks for this. Usually, when I get something “on background,” I take it to mean I can’t quote it. Is there a statement I can attribute it to an EPA spokesperson or some such?

Thanks,  
TP

---

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** Monday, May 7, 2018 at 10:36 AM  
**To:** Tom Philpott <tphilpott@motherjones.com>  
**Subject:** RE: Press Inquiry about Pesticides—neonics

Tom, thanks again for reaching out last week to seek our position on the European Union’s recently announced ban on three neonicotinoid pesticides.

I see your story posted on May 3<sup>rd</sup>, after we sent you our response.  
<https://www.motherjones.com/food/2018/05/europe-neonicotinoid-bees-chemical-syngenta-dow/>

Since you state **“I have made a query to an EPA spokesperson seeking updates on the agency’s slow-motion reassessment, and I’ll update this post if I hear back:”** I assume you’ll be updating our story with our response? Perhaps you can send us a link when you do?

Otherwise, I’m happy to work on any follow-up question. Please advise.

Cheers, R.

Robert Daguillard  
Office of Media Relations

U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, May 02, 2018 2:37 PM  
**To:** 'Tom Philpott' <[tphilpott@motherjones.com](mailto:tphilpott@motherjones.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Press Inquiry about Pesticides—neonics

Tom, on background, please. Hoping you can include the following into your story (I couldn't find it on your web site. Have you published yet?).

**On background (not for attribution):**

The European Union's recently announced ban on neonicotinoid pesticides decision is based, at least in part, on a recently published European Food Safety Authority risk assessment. It is our understanding that the EFSA report does not address risk management, which, consistent with U.S. federal law, is a key component of the EPA's pesticide regulatory scheme. Banning a pesticide is one way to manage risks, but the approach required by U.S. law involves assessing the risks and benefits of pesticide use, considering the most robust scientific data available. If the potential risk posed by a pesticide, supported by the best available science, is not justified by the benefits, EPA will examine whether the relevant pesticide registrations must be modified by adopting risk mitigation measures or whether other action, which could include cancellation of the relevant registrations, is necessary to prevent unreasonable risks.

EPA's [assessments for clothianidin, thiamethoxam, and dinotefuran](#), similar to the preliminary pollinator assessment for [imidacloprid](#), showed that most approved uses do not pose significant risks to bee colonies. However, spray applications to a few crops, such as cucumbers, berries, and cotton, may pose meaningful risks to bees that come in direct contact with residue. EPA will address these risks as we finish our review of the neonicotinoid pesticides, most of which are [scheduled to be concluded](#) this year. EPA is reviewing and considering the comments received on the draft preliminary assessments. We will revise our pollinator risk assessments as needed, taking into account benefits information (benefits assessments for foliar applications are in the linked dockets above), as well as the revised pollinator risk estimates. When necessary, we will propose risk mitigation

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Tom Philpott [<mailto:tphilpott@motherjones.com>]  
**Sent:** Tuesday, May 01, 2018 12:41 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Press Inquiry about Pesticides—neonics

Dear Robert,  
In light of the European Union's ban of three neonicotinoid pesticides—clothianidin, imidacloprid, and thiamethoxam—I'm wondering where EPA is the re-registration process. Any plans to restrict their use?

This— <https://www.regulations.gov/document?D=EPA-HQ-OPP-2008-0844-1260> — says: “EPA is not proposing any mitigation at this stage...” Is that still the case?

Also, has EPA released benefits assessments of these chemicals, and if so, where can I find them?

Thanks,

Tom

Tom Philpott

Food and agriculture correspondent, Mother Jones

828 260 3935



Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 5/7/2018 4:00:11 PM  
**To:** Hewitt, James [hewitt.james@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Press Inquiry about Pesticides—neonics

Thx.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Hewitt, James  
**Sent:** Monday, May 07, 2018 12:00 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry about Pesticides—neonics

Yes, **Ex. 5 Deliberative Process (DP)**

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**From:** Daguillard, Robert  
**Sent:** Monday, May 7, 2018 11:49 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Press Inquiry about Pesticides—neonics

Should I tell him **Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**Sent:** Monday, May 07, 2018 11:46 AM  
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**Date:** Monday, May 7, 2018 at 10:36 AM  
**To:** Tom Philpott <tphilpott@motherjones.com>  
**Subject:** RE: Press Inquiry about Pesticides—neonics

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Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, May 02, 2018 2:37 PM  
**To:** 'Tom Philpott' <tphilpott@motherjones.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry about Pesticides—neonics

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**On background (not for attribution):**

The European Union's recently announced ban on neonicotinoid pesticides decision is based, at least in part, on a recently published European Food Safety Authority risk assessment. It is our understanding that the EFSA report does not address risk management, which, consistent with U.S. federal law, is a key component of the EPA's pesticide regulatory scheme. Banning a pesticide is one way to manage risks, but the approach required by U.S. law involves assessing the risks and benefits of pesticide use, considering the most robust scientific data available. If the potential risk posed by a pesticide, supported by the best available science, is not justified by the benefits, EPA will examine whether the relevant pesticide registrations must be modified by adopting risk mitigation measures or whether other action, which could include cancellation of the relevant registrations, is necessary to prevent unreasonable risks.

EPA's assessments for clothianidin, thiamethoxam, and dinotefuran, similar to the preliminary pollinator assessment for imidacloprid, showed that most approved uses do not pose significant risks to bee colonies. However, spray applications to a few crops, such as cucumbers, berries, and cotton, may pose meaningful risks to bees that come in direct contact with residue. EPA will address these risks as we finish our review of the

neonicotinoid pesticides, most of which are scheduled to be concluded this year. EPA is reviewing and considering the comments received on the draft preliminary assessments. We will revise our pollinator risk assessments as needed, taking into account benefits information (benefits assessments for foliar applications are in the linked dockets above), as well as the revised pollinator risk estimates. When necessary, we will propose risk mitigation

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Tom Philpott [<mailto:tphilpott@motherjones.com>]  
**Sent:** Tuesday, May 01, 2018 12:41 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** Press Inquiry about Pesticides—neonics

Dear Robert,  
In light of the European Union's ban of three neonicotinoid pesticides—clothianidin, imidacloprid, and thiamethoxam—I'm wondering where EPA is the re-registration process. Any plans to restrict their use?

This— <https://www.regulations.gov/document?D=EPA-HQ-OPP-2008-0844-1260> — says: "EPA is not proposing any mitigation at this stage..." Is that still the case?

Also, has EPA released benefits assessments of these chemicals, and if so, where can I find them?  
Thanks,  
Tom

Tom Philpott

Food and agriculture correspondent, Mother Jones

828 260 3935

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 5/3/2018 3:12:27 PM  
**To:** MELISSA PELLETIER [melissa.pelletier@radio-canada.ca]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Question | Radio-Canada

Melissa, on background, and not for attribution, please:

**Question 1:** How many flea/tick products were sold in the United States in 2017?

**Response 1:** EPA does not receive data on the number of flea/tick products sold by retailers to consumers.

**Question 2:** How many incident reports, or complaints, related to said products did we receive in 2016 and 2017?  
[The reporter later clarified her question, saying that she was referring to incidents involving spot-on products, and therefore, these figures apply to incident reports involving those products.]

**Response 2:** Registrants of flea and tick spot-on products reported a total of 17,204 incidents in 2016 and 16,373 in 2017 with the majority of those minor and moderate including quickly resolved symptoms, usually involving skin, eye or respiratory irritation.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** MELISSA PELLETIER [mailto:melissa.pelletier@radio-canada.ca]  
**Sent:** Friday, April 27, 2018 4:31 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Question | Radio-Canada

Hello Robert,  
No problem, we will wait until next wednesday.  
By the way, about the webinar, I understand that it is official that it will have a new template for reporting incidents? It is for explain the new form?

For answer your question, it is a tv report.  
You can see our tv show at this web page : <https://ici.radio-canada.ca/tele/lafacture/site>

Have a good week end,  
Melissa

2018-04-27 16:26 GMT-04:00 Daguillard, Robert <Daguillard.Robert@epa.gov>:

Bonjour Melissa,

Nous ne pensons pas pouvoir vous envoyer notre reponse aujourd'hui. Ca vous irait-il si on vous repondait d'ici, disons, mercredi?

Au fait, s'agit-il d'un reportage tele, ou d'un article en ligne?

Merci.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** MELISSA PELLETIER [mailto:[melissa.pelletier@radio-canada.ca](mailto:melissa.pelletier@radio-canada.ca)]

**Sent:** Monday, April 23, 2018 12:04 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Re: Question | Radio-Canada

Hello Robert,

I could say in units sold.

Our questions follow this reading:

*We know that a total of **approximately 270,000,000 doses of these products were sold in the U.S.** in 2008, but we don't know the details of those sales. The manufacturers' sales information is confidential information and the companies don't report their sales in the same way, so it isn't clear whether or not the increase in reports of adverse reactions is due to increased sales or an actual increase in the relative number of adverse reactions.*

<https://www.avma.org/public/PetCare/Pages/Flea-and-Tick-Products-EPA-FAQs.aspx>

We know there are more than one dose in a product, but usually the animal owner give one dose at a time. Also, we understand that the number of doses could be confidential information, so if you have an approximate number, it is good.

Thanks a lot,

Melissa

Le 23 avril 2018 à 10:57, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> a écrit :

Thanks again, Melissa (and please, call me Robert),

My pesticide program colleagues are asking:

*“We may need to clarify what they mean by “How many flea/tick products” were sold. Are they interested in units sold? Or active ingredients? or (formulated) products?”*

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** MELISSA PELLETIER [mailto:[melissa.pelletier@radio-canada.ca](mailto:melissa.pelletier@radio-canada.ca)]

**Sent:** Monday, April 23, 2018 9:08 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Question | Radio-Canada

Hello Mr Daguillard,

I understand completely, no problem I will ask you my questions in english. For the deadline, if you could as soon as you can it will be really appreciated. Do you think it is possible this week?

For statistics about flea treatment, your questions is really good and tell me that we need to include ticks treatment too. Because a lot of products are for fleas and ticks together. Stats that are come from Health Canada are not doing the distinction anyway. If your have separated stat like stats for flea treatment, ticks treatment and for flea and ticks treatment it would be absolutely great.

We try to understand the number of incidents after using insecticid treatment for animals (cat and dog, particularly cats) are rare or frequent, so we want to see that by the proportion. Although, it is rare why incidents are worrying for authorities?

Best regards,

Melissa

Le 23 avril 2018 à 08:19, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> a écrit :

Bonjour Melissa (si je puis me permettre),

Merci de votre courriel. Bien que je sois, en effet, francophone, je vous saurais gre, effectivement, de m'envoyer vos questions en anglais a l'avenir. Ce dans la mesure ou je partage ces questions avec l'equipe des pesticides, qui redige les reponses, et dont les membres ne parlent peut-etre pas francais.

Par ailleurs, et cette fois-ci, vous desirez des informations uniquement au sujet des produits **\*anti-puces,\*** n'est-ce pas? Il n'est pas question de produits **anti-puces et tiques**, si j'ai bien compris?

Et enfin, quelle est votre date butoir?

Merci et bonne compréhension, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** MELISSA PELLETIER [mailto:[melissa.pelletier@radio-canada.ca](mailto:melissa.pelletier@radio-canada.ca)]

**Sent:** Friday, April 20, 2018 12:37 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Question | Radio-Canada

Bonjour monsieur Daguiard,

Je suis journaliste à la recherche à la télévision de Radio-Canada. Je travaille pour l'émission La facture. Voir ce lien : <https://ici.radio-canada.ca/tele/la-facture/site>

Je me permets de vous écrire en français. Quelle agréable surprise de constater que vous parlez français. Merci pour les informations pour le Webinaire.

Nous préparons un reportage concernant l'utilisation de produits antipuces pour les animaux. Nous avons plusieurs données de Santé Canada qui travaille conjointement avec l'EPA.

J'aimerais savoir:

1- À combien estimez-vous le nombre de doses de produits antipuces vendus aux États-Unis en 2017?



2- Aussi, quel est le nombre de rapports d'incidents reçu à l'EPA en 2016 et 2017 à la suite de l'usage de produits antipuces?

Si vous le voulez, je peux vous écrire en anglais également. À votre convenance.

Cordialement,

Melissa Pelletier

--

Melissa Pelletier

Journaliste à la recherche, ICI Radio-Canada / RDI

(B)

Ex. 6 Personal Privacy (PP)

(P)

CBC  Radio-Canada

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Melissa Pelletier

Journaliste à la recherche, ICI Radio-Canada / RDI

(B)

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(P)

CBC  Radio-Canada

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Melissa Pelletier

Journaliste à la recherche, ICI Radio-Canada / RDI

(B)

Ex. 6 Personal Privacy (PP)

(P)

CBC  Radio-Canada

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Melissa Pelletier

Journaliste à la recherche, ICI Radio-Canada / RDI

(B)

Ex. 6 Personal Privacy (PP)

(P)

CBC  Radio-Canada

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 5/3/2018 1:55:40 PM  
**To:** Sophia Morris [sophia.morris@law360.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Reporter seeking comment on Hawaii Ban on chlorpyrifos pesticides

Sophia, still on background, please:

EPA thoroughly evaluates the most robust scientific data available. If the potential risk posed by a pesticide is supported by the best available science, EPA will move quickly to take appropriate risk mitigation action.

Our review of chlorpyrifos is continuing as we work to complete our evaluation of the available data. As part of the ongoing registration review, we will continue to review the science addressing neurodevelopmental effects of chlorpyrifos.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Sophia Morris [mailto:sophia.morris@law360.com]  
**Sent:** Wednesday, May 02, 2018 5:50 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Reporter seeking comment on Hawaii Ban on chlorpyrifos pesticides

Hi Robert, the story will publish tonight as we work to pretty tight deadlines here. Though I can add in an on the record comment or statement as an update tomorrow.

Thanks,  
Sophia

On Wed, May 2, 2018 at 5:45 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Sophia, can you grant us an extension until tomorrow? Thanks, R.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On May 2, 2018, at 3:40 PM, Sophia Morris <sophia.morris@law360.com> wrote:

Got it. Thanks.

On Wed, May 2, 2018 at 3:33 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

On background and, therefore, not for attribution, please.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Sophia Morris [<mailto:sophia.morris@law360.com>]

**Sent:** Wednesday, May 02, 2018 3:22 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Reporter seeking comment on Hawaii Ban on chlorpyrifos pesticides

Thanks Robert. Am I able to refer to you as an EPA spokesperson?

On Wed, May 2, 2018 at 2:58 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Sophia, on background, please:

**States have authority to regulate pesticides under their own laws (see section 24(a) of FIFRA) to the extent that those regulations do not permit any sale or use prohibited by FIFRA.**

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

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**From:** Daguillard, Robert  
**Sent:** Wednesday, May 02, 2018 1:33 PM  
**To:** 'Sophia Morris' <[sophia.morris@law360.com](mailto:sophia.morris@law360.com)>  
**Subject:** RE: Reporter seeking comment on Hawaii Ban on chlorpyrifos pesticides

Sophia, on second reading, and for clarification, are you asking for comment on:

- The specific bill; or
- Any proposed chlorpyrifos ban, regardless of the way it's achieved (regulatory agency decision, state law, court decision, whatever).

?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

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**From:** Sophia Morris [<mailto:sophia.morris@law360.com>]  
**Sent:** Wednesday, May 02, 2018 12:16 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Reporter seeking comment on Hawaii Ban on chlorpyrifos pesticides

Hi Robert,

I'm a reporter with Law360, and I'm writing about the passage of a bill in Hawaii that bans the use of chlorpyrifos within the state. Would someone from the EPA be available today to provide a comment or statement regarding the ban.

Regards,

Sophia Morris

--

Sophia Morris  
Reporter



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111 W. 19th Street,  
5th Floor  
New York, NY 10011  
646-783-7172

--

Sophia Morris  
Reporter



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--

Sophia Morris  
Reporter



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5th Floor  
New York, NY 10011  
646-783-7172

Message

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 5/1/2018 10:17:20 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: ASAP-- Denver Post: Rocky Flats story on deadline

---

From: Mylott, Richard  
Sent: Tuesday, May 1, 2018 10:17:19 PM (UTC+00:00) Monrovia, Reykjavik  
To: Benevento, Douglas; regionalpress; Mutter, Andrew; Smidinger, Betsy; Faulk, Libby; Stites, Rob; Murray, Bill  
Cc: Moritz, Vera; McClain-Vanderpool, Lisa  
Subject: RE: ASAP-- Denver Post: Rocky Flats story on deadline

Spoke with Doug and we will

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Link to review document.

-----Original Message-----

From: Benevento, Douglas  
Sent: Tuesday, May 1, 2018 3:27 PM  
To: Mylott, Richard <Mylott.Richard@epa.gov>; regionalpress <regionalpress@epa.gov>; Mutter, Andrew <mutter.andrew@epa.gov>; Smidinger, Betsy <Smidinger.Betsy@epa.gov>; Faulk, Libby <Faulk.Libby@epa.gov>; Stites, Rob <Stites.Rob@epa.gov>; Murray, Bill <Murray.Bill@epa.gov>  
Cc: Moritz, Vera <Moritz.Vera@epa.gov>; McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov>  
Subject: RE: ASAP-- Denver Post: Rocky Flats story on deadline

### Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Mylott, Richard  
Sent: Tuesday, May 1, 2018 3:21 PM  
To: regionalpress <regionalpress@epa.gov>; Benevento, Douglas <benevento.douglas@epa.gov>; Mutter, Andrew <mutter.andrew@epa.gov>; Smidinger, Betsy <Smidinger.Betsy@epa.gov>; Faulk, Libby <Faulk.Libby@epa.gov>; Stites, Rob <Stites.Rob@epa.gov>; Murray, Bill <Murray.Bill@epa.gov>  
Cc: Moritz, Vera <Moritz.Vera@epa.gov>; McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov>  
Subject: DDL: ASAP-- Denver Post: Rocky Flats story on deadline

All-- DDL this afternoon -- need a quick turn on the Denver Post inquiry below. This content is

We are coordinating with CDPHE today. Thanks!

PROPOSED RESPONSE

## Ex. 5 Deliberative Process (DP)



# Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Bruce Finley [mailto:bfinley@denverpost.com]  
Sent: Tuesday, May 1, 2018 2:46 PM  
To: Mylott, Richard <Mylott.Richard@epa.gov>  
Subject: Rocky Flats story on deadline

Rich - driving now so please excuse this typing - wanted to let you know we request EPA comment - from a non-spokesperson official directly involved that we can call or hear directly from - on whether Rocky Flats with current trace levels of plutonium in soil is cleaned up enough for the proposed use as a public refuge with hiking and biking trails to open this summer. Given the trace amounts of plutonium out there including potential hot spots above 1.1 picocuries per gram, does EPA consider that site safe for human recreation? Why hasn't the NEPA environmental review been done around the proposed construction and opening of trails for hiking and biking? Please respond as soon as possible - and this is a request to speak with somebody and hear conversationally from EPA a different side of what we are hearing from the project opponents - not to receive a bunch of links to pre-published material. I realize the opposition is practically religious in fighting anything to do with Rocky Flats, but they went to federal court today to try to compel an environmental review, and as you know they have got seven school districts seeing it their way. We need to hear from the people who oversaw the cleanup at that site - meaning EPA as well as CDPHE. Standing by on deadline....

- Bruce

Sent from my iPhone

Message

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**From:** McClain-Vanderpool, Lisa [Mcclain-Vanderpool.Lisa@epa.gov]  
**Sent:** 5/29/2018 4:14:06 PM  
**To:** Wadlington, Christina [Wadlington.Christina@epa.gov]  
**CC:** Block, Molly [block.molly@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Mutter, Andrew [mutter.andrew@epa.gov]  
**Subject:** RE: Denver Post: PFAS questions -- deadline COB tomorrow

Okay thanks – **Ex. 5 Deliberative Process (DP)**

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**From:** Wadlington, Christina  
**Sent:** Tuesday, May 29, 2018 10:06 AM  
**To:** McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov>  
**Cc:** Block, Molly <block.molly@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Mutter, Andrew <mutter.andrew@epa.gov>  
**Subject:** RE: Denver Post: PFAS questions -- deadline COB tomorrow

## Ex. 5 Deliberative Process (DP)

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**From:** McClain-Vanderpool, Lisa  
**Sent:** Tuesday, May 29, 2018 11:40 AM  
**To:** Wadlington, Christina <Wadlington.Christina@epa.gov>  
**Cc:** Block, Molly <block.molly@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Mutter, Andrew <mutter.andrew@epa.gov>  
**Subject:** RE: Denver Post: PFAS questions -- deadline COB tomorrow

**Ex. 5 Deliberative Process (DP)**

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**From:** Wadlington, Christina  
**Sent:** Friday, May 25, 2018 7:08 PM  
**To:** McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov>  
**Cc:** Block, Molly <block.molly@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Mutter, Andrew <mutter.andrew@epa.gov>  
**Subject:** Re: Denver Post: PFAS questions -- deadline COB tomorrow

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On May 25, 2018, at 7:30 PM, McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov> wrote:

One quick question –  
that as a follow up.  
Lisa

**Ex. 5 Deliberative Process (DP)**

What was it? I expect

---

**From:** Block, Molly

**Sent:** Friday, May 25, 2018 5:17 PM

**To:** McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov>

**Cc:** Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Wadlington, Christina  
<Wadlington.Christina@epa.gov>; Mutter, Andrew <mutter.andrew@epa.gov>

**Subject:** Re: Denver Post: PFAS questions -- deadline COB tomorrow

**Ex. 5 Deliberative Process (DP)**

Sent from my iPhone

On May 25, 2018, at 7:14 PM, McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov> wrote:

Is it really out of the question that **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

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**From:** Drinkard, Andrea

**Sent:** Friday, May 25, 2018 4:30 PM

**To:** Wadlington, Christina <Wadlington.Christina@epa.gov>

**Cc:** Block, Molly <block.molly@epa.gov>; McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov>; Mutter, Andrew <mutter.andrew@epa.gov>

**Subject:** Re: Denver Post: PFAS questions -- deadline COB tomorrow

I would tend to agree, but let me know if that doesn't work.

Sent from my iPhone

On May 25, 2018, at 5:02 PM, Wadlington, Christina <Wadlington.Christina@epa.gov> wrote:

Given that **Ex. 5 Deliberative Process (DP)**  
But I'll defer to you/Andrea/R8 on preference.

---

**From:** Block, Molly

**Sent:** Friday, May 25, 2018 5:01 PM

**To:** Wadlington, Christina <Wadlington.Christina@epa.gov>

**Cc:** McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov>;  
Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Mutter, Andrew  
<mutter.andrew@epa.gov>

**Subject:** Re: Denver Post: PFAS questions -- deadline COB tomorrow

Good with me. Do you have any preferences for attribution?

Sent from my iPhone

On May 25, 2018, at 5:00 PM, Wadlington, Christina  
<Wadlington.Christina@epa.gov> wrote:

Recommend the edits below. I recommend

Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

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**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

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**From:** Block, Molly  
**Sent:** Friday, May 25, 2018 4:48 PM  
**To:** Wadlington, Christina  
<[Wadlington.Christina@epa.gov](mailto:Wadlington.Christina@epa.gov)>  
**Cc:** McClain-Vanderpool, Lisa <[Mcclain-Vanderpool.Lisa@epa.gov](mailto:Mcclain-Vanderpool.Lisa@epa.gov)>; Drinkard, Andrea  
<[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Mutter, Andrew  
<[mutter.andrew@epa.gov](mailto:mutter.andrew@epa.gov)>  
**Subject:** Re: Denver Post: PFAS questions -- deadline  
COB tomorrow

How does this look to send? This would most likely all be on background. Unless you're comfortable having the first two sentences attributed to an EPA spokesperson.

And once the response is approved - Lisa will you send it to the reporter?

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On May 25, 2018, at 4:15 PM, Wadlington, Christina  
<[Wadlington.Christina@epa.gov](mailto:Wadlington.Christina@epa.gov)> wrote:

If possible, Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

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**From:** McClain-Vanderpool, Lisa  
**Sent:** Friday, May 25, 2018 3:52 PM  
**To:** Wadlington, Christina  
<[Wadlington.Christina@epa.gov](mailto:Wadlington.Christina@epa.gov)>;  
Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>;  
Drinkard, Andrea  
<[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>  
**Cc:** Mutter, Andrew  
<[mutter.andrew@epa.gov](mailto:mutter.andrew@epa.gov)>  
**Subject:** RE: Denver Post: PFAS  
questions -- deadline COB tomorrow

I would Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

**From:** Wadlington, Christina  
**Sent:** Friday, May 25, 2018 12:55 PM  
**To:** Block, Molly  
<[block.molly@epa.gov](mailto:block.molly@epa.gov)>; McClain-Vanderpool, Lisa <[Mcclain-Vanderpool.Lisa@epa.gov](mailto:Mcclain-Vanderpool.Lisa@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>  
**Cc:** Mutter, Andrew  
<[mutter.andrew@epa.gov](mailto:mutter.andrew@epa.gov)>  
**Subject:** RE: Denver Post: PFAS questions -- deadline COB tomorrow

For consideration for #1.

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

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**Sent:** Thursday, May 24, 2018 6:34 PM  
**To:** McClain-Vanderpool, Lisa <[Mcclain-Vanderpool.Lisa@epa.gov](mailto:Mcclain-Vanderpool.Lisa@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Wadlington, Christina <[Wadlington.Christina@epa.gov](mailto:Wadlington.Christina@epa.gov)>  
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303-312-6077

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**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Wadlington, Christina [Wadlington.Christina@epa.gov]; Mutter, Andrew [mutter.andrew@epa.gov]  
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**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 4/19/2018 12:14:20 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Inside EPA request for comment on EPA 'breakthroughs' at Butte and Anaconda SF sites: DDL Thursday

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**From:** regionalpress  
**Sent:** Thursday, April 19, 2018 12:14:19 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** Mylott, Richard; regionalpress  
**Cc:** Mutter, Andrew; Faulk, Libby; Wardell, Christopher  
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Good to go

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  

Ex. 6 Personal Privacy (PP)

**(mobile)**

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**Sent:** Wednesday, April 18, 2018 7:43 PM  
**To:** regionalpress <regionalpress@epa.gov>  
**Cc:** Mutter, Andrew <mutter.andrew@epa.gov>; Faulk, Libby <Faulk.Libby@epa.gov>; Wardell, Christopher <Wardell.Christopher@epa.gov>  
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**Suzanne Yohannan, Inside EPA reporter** asking for details, goals/next steps, and EPA comments on recent EPA/RA-led "breakthroughs" in Butte and Anaconda.  
Draft response below developed with site team and RA.

Thanks,

Rich  
303-312-6654

---

# Ex. 5 Deliberative Process (DP)

# **Ex. 5 Deliberative Process (DP)**

Message

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**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 4/18/2018 11:42:58 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Inside EPA request for comment on EPA 'breakthroughs' at Butte and Anaconda SF sites: DDL Thursday

---

**From:** Mylott, Richard  
**Sent:** Wednesday, April 18, 2018 11:42:57 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** regionalpress  
**Cc:** Mutter, Andrew; Faulk, Libby; Wardell, Christopher  
**Subject:** Inside EPA request for comment on EPA 'breakthroughs' at Butte and Anaconda SF sites: DDL Thursday

**Suzanne Yohannan, Inside EPA reporter** asking for details, goals/next steps, and EPA comments on recent EPA/RA-led “breakthroughs” in Butte and Anaconda.  
Draft response below developed with site team and RA.

Thanks,

Rich  
303-312-6654

---

## Ex. 5 Deliberative Process (DP)

# **Ex. 5 Deliberative Process (DP)**



Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 2/13/2018 10:20:58 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

---

**From:** Kelly, Albert  
**Sent:** Tuesday, February 13, 2018 10:20:58 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** regionalpress; Bowman, Liz  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

## Ex. 5 Deliberative Process (DP)

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

---

**From:** regionalpress  
**Sent:** Tuesday, February 13, 2018 4:56 PM  
**To:** Kelly, Albert <kelly.albert@epa.gov>; regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

Looks like chicago

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**

Ex. 6 Personal Privacy (PP) **(mobile)**

---

**From:** Kelly, Albert  
**Sent:** Tuesday, February 13, 2018 3:21 PM  
**To:** regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

## Ex. 5 Deliberative Process (DP) Is she to be in Chicago or DC?

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

---

**From:** regionalpress  
**Sent:** Tuesday, February 13, 2018 3:19 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>

Subject: FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

See below – do we want to do this for this book? Thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
Ex. 6 Personal Privacy (PP) **(mobile)**

---

**From:** Bassler, Rachel

**Sent:** Tuesday, February 13, 2018 3:04 PM

**To:** regionalpress <regionalpress@epa.gov>

**Cc:** Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>

**Subject:** Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

The author Nancy Nichols will be in town at the end of February/early March and would like to sit down with EPA to get a general update on three Superfund sites in Waukegan, IL, the topic of her previous book. The author is writing another book and some articles about the sites and would like to know how the sites are progressing and whether they will be delisted in the near future. Our thought is to

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Here's a link to her first book, *Lake Effect*, published in 2008 [https://www.amazon.com/Lake-Effect-Sisters-Towns-Legacy/dp/1597260843/ref=sr\\_1\\_fkmr0\\_1?s=books&ie=UTF8&qid=1518551959&sr=1-1-fkmr0&keywords=nancy+nicholson+waukegan](https://www.amazon.com/Lake-Effect-Sisters-Towns-Legacy/dp/1597260843/ref=sr_1_fkmr0_1?s=books&ie=UTF8&qid=1518551959&sr=1-1-fkmr0&keywords=nancy+nicholson+waukegan)

Ok to move forward?

Thanks,  
Rachel

Rachel Bassler  
Press Officer  
U.S. EPA Region 5  
bassler.rachel@epa.gov  
p: 312-886-7159

C: Ex. 6 Personal Privacy (PP)

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 2/13/2018 9:55:41 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

---

**From:** regionalpress  
**Sent:** Tuesday, February 13, 2018 9:55:40 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** Kelly, Albert; regionalpress; Bowman, Liz  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

Looks like chicago

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
Ex. 6 Personal Privacy (PP) **(mobile)**

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**To:** regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
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**Ex. 5 Deliberative Process (DP)** Is she to be in Chicago or DC?

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

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**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
Ex. 6 Personal Privacy (PP) **(mobile)**

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Cc: Kelley, Jeff <[kelly.jeff@epa.gov](mailto:kelly.jeff@epa.gov)>; Rowan, Anne <[rowan.anne@epa.gov](mailto:rowan.anne@epa.gov)>

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The author Nancy Nichols will be in town at the end of February/early March and would like to sit down with EPA to get a general update on three Superfund sites in Waukegan, IL, the topic of her previous book. The author is writing another book and some articles about the sites and would like to know how the sites are progressing and whether they will be delisted in the near future. Our thought is to

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Ok to move forward?

Thanks,  
Rachel

Rachel Bassler  
Press Officer  
U.S. EPA Region 5  
[bassler.rachel@epa.gov](mailto:bassler.rachel@epa.gov)  
p: 312-886-7159

C: Ex. 6 Personal Privacy (PP)

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 2/13/2018 8:20:46 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

---

**From:** Kelly, Albert  
**Sent:** Tuesday, February 13, 2018 8:20:45 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** regionalpress; Bowman, Liz  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

**Ex. 5 Deliberative Process (DP)** Is she to be in Chicago or DC?

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

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**Sent:** Tuesday, February 13, 2018 3:19 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>  
**Subject:** FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

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**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**Ex. 6 Personal Privacy (PP)** **(mobile)**

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**Sent:** Tuesday, February 13, 2018 3:04 PM  
**To:** regionalpress <regionalpress@epa.gov>  
**Cc:** Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>  
**Subject:** Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

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Ok to move forward?

Thanks,  
Rachel

Rachel Bassler  
Press Officer  
U.S. EPA Region 5  
bassler.rachel@epa.gov  
p: 312-886-7159  
c: Ex. 6 Personal Privacy (PP)

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 2/13/2018 8:03:39 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

---

**From:** Bassler, Rachel  
**Sent:** Tuesday, February 13, 2018 8:03:39 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** regionalpress  
**Cc:** Kelley, Jeff; Rowan, Anne  
**Subject:** Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

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Ok to move forward?

Thanks,  
Rachel

Rachel Bassler  
Press Officer  
U.S. EPA Region 5  
bassler.rachel@epa.gov  
p: 312-886-7159

C: **Ex. 6 Personal Privacy (PP)**

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 2/12/2018 2:29:05 PM  
**To:** Block, Molly [block.molly@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Auto News reporter inquiry

Cool.

---

**From:** Block, Molly  
**Sent:** Monday, February 12, 2018 9:28 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Auto News reporter inquiry

No objection here. We can do the highlighted below. **Ex. 5 Deliberative Process (DP)**

---

**From:** Daguillard, Robert  
**Sent:** Monday, February 12, 2018 9:18 AM  
**To:** Press <Press@epa.gov>  
**Subject:** RE: Auto News reporter inquiry

Good morning. Follow-up from the reporter.

**"Background will be very helpful, but if there can be at least one or two statements for attribution (even if emailed in after our discussion), that would be most helpful. Thank you."**

Any objection?

---

**From:** Block, Molly  
**Sent:** Thursday, February 08, 2018 11:41 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Auto News reporter inquiry

Ok

---

**From:** Daguillard, Robert  
**Sent:** Thursday, February 8, 2018 11:34 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Auto News reporter inquiry

All, the program is recommending **Ex. 5 Deliberative Process (DP)**

Lisa, based in Ann Arbor, is one of the OTAQ Center Directors. Her group focuses on long term Strategy and Analysis, and was in charge of developing the revised car label. It also provided the initial responses to this reporter's questions.

**Ex. 5 Deliberative Process (DP)** Please advise.

---

**From:** Birgfeld, Erin  
**Sent:** Thursday, February 08, 2018 10:20 AM  
**To:** Millett, John <Millett.John@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>



Cc: Mylan, Christopher <Mylan.Christopher@epa.gov>

Subject: FW: Auto News reporter inquiry

Hi Robert and John,

Hi John and Robert,

Sebastian Blanco of Auto News has contacted Lisa Snapp directly for an interview. It sounds like he is doing a deep dive on the vehicle label and she was in charge of that rulemaking. I think

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

? See email string below for more details.

Thanks for your help.

Sincerely,  
Erin

---

From: Snapp, Lisa

Sent: Thursday, February 08, 2018 9:57 AM

To: Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>

Subject: RE: Auto News reporter inquiry

Thanks-- I flagged this for Karl and he thought

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

---

From: Birgfeld, Erin

Sent: Thursday, February 08, 2018 9:12 AM

To: Snapp, Lisa <snapp.lisa@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>

Subject: RE: Auto News reporter inquiry

Hi Lisa,

I think

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks,  
Erin

---

From: Snapp, Lisa

Sent: Wednesday, February 07, 2018 10:23 PM

To: Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>

Subject: Fwd: Auto News reporter inquiry

Surprised he is reaching out to me directly. Next steps? Thanks!

Sent from my iPhone

Begin forwarded message:

**From:** Sebastian Blanco <Ex. 6 Personal Privacy (PP)>  
**Date:** February 7, 2018 at 6:58:54 PM EST  
**To:** [snapp.lisa@epa.gov](mailto:snapp.lisa@epa.gov)

Hello Lisa,

My name is Sebastian Blanco, and I'm working on a longer piece for Automotive News about the EPA and DOE's revised fuel economy vehicle window sticker, specifically how it does or doesn't display useful information for car shoppers about the benefits of an EV. I've been reading through some of the PDF documents on the EPA's website about the discussion that went into the revisions, and want to write up the history of how the MPGe and EV range number were added to today's sticker. After numerous emails with people at the EPA and DOE, your name was given to me as the person who would be best to speak to about this. I both have some questions about the sticker and the process and I'd just like to chat with someone for stories about how the MPGe and range numbers made it on the stickers.

Hopefully you can help me out. My deadline is Monday, so hopefully you have time to talk this week Thursday or Friday.

Sebastian

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 2/12/2018 1:54:43 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**Subject:** RE: Auto News reporter inquiry

Good morning. Follow-up from the reporter.

“Background will be very helpful, but if there can be at least one or two statements for attribution (even if emailed in after our discussion), that would be most helpful. Thank you.”

Any objection? **Ex. 5 Deliberative Process (DP)**

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**From:** Block, Molly  
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**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)** ? See email string below for more details.

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Thanks-- I flagged this for Karl and he thought it

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

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sticker. After numerous emails with people at the EPA and DOE, your name was given to me as the person who would be best to speak to about this. I both have some questions about the sticker and the process and I'd just like to chat with someone for stories about how the MPGe and range numbers made it on the stickers.

Hopefully you can help me out. My deadline is Monday, so hopefully you have time to talk this week Thursday or Friday.

Sebastian

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 2/6/2018 2:44:30 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**Subject:** RE: New York Times inquiry: Toxic Release Inventory

I'll be sending updates.

---

**From:** Block, Molly  
**Sent:** Tuesday, February 06, 2018 9:32 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: New York Times inquiry: Toxic Release Inventory

No worries! Hope the hearing goes well.

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, February 6, 2018 9:29 AM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: New York Times inquiry: Toxic Release Inventory

Sorry. Hadn't seen your note, as I just now got to the Hill and the committee room.

The reporter has indeed published her story. The program says they have no problem with what she wrote. I'll find and send a link later.

---

**From:** Block, Molly  
**Sent:** Tuesday, February 06, 2018 9:03 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: New York Times inquiry: Toxic Release Inventory

At this point don't worry about

**Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Thanks!

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, February 6, 2018 9:02 AM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: New York Times inquiry: Toxic Release Inventory

Got it. I'll tell her as much.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Feb 6, 2018, at 9:00 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

This is one of those things that

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, February 6, 2018 8:59 AM  
**To:** Nadja Popovich <[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: New York Times inquiry: Toxic Release Inventory

Nadja, for attribution to “an EPA spokesperson,” please:

The TRI program’s preferred latitude and longitude coordinates indicate the center of a facility’s activity, referred to as the centroid, but otherwise may point to alternative coordinates such as street address, storage tank, or settling pond, among others.

**But what does an "accuracy value" of 1 meter indicate compared to 50 compared to 11000 (or, in some cases, no value)?** This element indicates the confidence of the coordinates. The lower the number, the higher the accuracy. A value of “null” or “no\_value” indicates that the address did not correlate with the processes used to geocode a point. These specific values do not indicate that the coordinates are inaccurate, but rather that higher scrutiny should be employed when using the coordinates.

The accuracy score is a unitless ranking value ranking created via an algorithm that considers the accuracy value, method used to compute the coordinates, and type of coordinates provided (e.g., stack, centroid, etc.). The smaller the score the more confidence you can likely place in the accuracy value.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
**Ex. 6 Personal Privacy (PP)** (M)  
202-564-6618 (O)

On Feb 5, 2018, at 11:20 AM, Nadja Popovich <[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)> wrote:

Hey Robert,

Sorry to push on this again, but we’re publishing tomorrow according to my editor. I would love to hear back about that methodology question, specifically, before then. Possible?

Thanks again,  
Nadja

On Fri, Feb 2, 2018 at 2:43 PM Popovich, Nadja  
<[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)> wrote:

Robert, I have two more quick questions for today. Apologies for so many requests, but better to make sure we're getting this right.

First, I'm writing up a methodology section for our project, nothing how TRI determines lat/long coordinates. Could you confirm that this is OK?

*The TRI program's preferred latitude and longitude coordinates indicate the center of a facility's activity, but otherwise may point to alternative coordinates such as street address, storage tank, or settling pond, among others.*

Second, I did notice that there is an "accuracy score" and "accuracy value" for lat/long coordinates in the EZ-Search. Would you be able to tell me how those work? I see the technical definitions on the EZ-Search:

[ ]	<a href="#">Accuracy Value</a>	The measure of the accuracy (in meters) of the latitude and longitude coordinates. This data provided by EPA's Facility Registry System (FRS).
[ ]	<a href="#">Accuracy Score</a>	The accuracy score (in meters) derived as the accuracy value supplied by the location metadata or calculated based on collection method and then modified based on QA boundary checks. This data provided by EPA's Facility Registry System.

But what does an "accuracy value" of 1 meter indicate compared to 50 compared to 11000 (or, in some cases, no value)?

If you're able to get this back to me today, I would really appreciate it. If not, Monday would be the latest.

Thanks,  
Nadja

On Thu, Feb 1, 2018 at 12:05 PM, Popovich, Nadja  
<[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)> wrote:

Ok thank you! Just to make sure: you mean a new .csv has been uploaded for 2016?

On Thu, Feb 1, 2018 at 11:31 AM, Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

From TRI staff:

It's fixed now. If the reporter downloads the Basic Data Files again and runs a new facility information EZ Query, all of the lat/long values will match.



**From:** Popovich, Nadja [mailto:[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)]

**Sent:** Thursday, February 01, 2018 10:49 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: New York Times inquiry: Toxic Release Inventory

I would also be glad to give you any more information by phone and can be reached at Ex. 6 Personal Privacy (PP) today, as I'm away from my desk today.

On Thu, Feb 1, 2018 at 9:59 AM, Popovich, Nadja  
<[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)> wrote:

Thanks for that answer Robert. However, this doesn't look like an Excel truncation problem. If you look at the example I sent from Enterprise Products in Texas, you'll see the decimals are fully different, rather than just truncated - i.e. Latitude 29.8247 versus 29.857573.

Repasted here:

ENTERPRISE PRODUCTS OPERATING LLC at 10207 FM 1942 MONT BELVIEU  
CHAMBERS TX 77580 (TRI id # 77580NTRPR10207)

In the downloaded file the lat-long coordinates are given as 29.8247, -94.9197. However, that actually points to a different facility: Chevron Phillips, in Baytown, TX, just down the road.

The latitude and longitude provided by EZ-search appear to be pointing to the correct facility: 29.857573, -94.912893

**At this time, I'm going with the EZ-search results over the data download results, as they appear to be more accurate in a small spot-check. Is that OK to do? Is there any reason for concern that the EZ-search results are less accurate than the data download file?**

Thanks again!

On Thu, Feb 1, 2018 at 9:47 AM Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Nadja, I got a note from the program: Apparently, you have to make sure you expand the Excel cell to enter the entire long/lat values. That's because Excel truncates the numbers to the first six decimal places, and therefore results in a slightly erroneous placement – if you don't know to expand the cell.

Can you let me know how that works for you?

**From:** Popovich, Nadja [mailto:[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)]

**Sent:** Wednesday, January 31, 2018 3:38 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: New York Times inquiry: Toxic Release Inventory

Robert, to add to my previous email: We're done a more thorough analysis and find more than 1,500 unique sites where the lat/long values in the TRI-2016 downloadable file do not match the ones from the EZ-search.

I'm wondering whether we should trust the EZ-Search values over the downloadable csv values? I've only done a small spot-check, and the EZ-Search values seem correct more often when eyeballing, but that might not mean much per your methodology. So let me know.

Many thanks again.

On Wed, Jan 31, 2018 at 2:00 PM, Popovich, Nadja  
<[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)> wrote:

That last example, from ENTERPRISE PRODUCTS in CHAMBERS TX was one I pulled today, and I just checked again – it's still different from the 2016 data file. That said, the 2016 data file lat/long does seem to be mistaken. As I mentioned, it points to Chevron Phillips down the road. Thoughts on this?

As for the other two examples I sent earlier, you're right that they are now updated and are the same as in the 2016 file. HOWEVER, the 2016 file lat/longs were ones that appeared iffy. For ERP Coke, please see below:

The address derived from TRI gives the point that is at 35000 35th Ave (where the facility is above), and the red marker for 3368 33rd place North is the lat/long ID.

<image001.png>

Any insight on why the red marker has been place there would be useful.

Thanks again!

On Wed, Jan 31, 2018 at 1:28 PM, Daguiard, Robert  
<[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Nadja, please check again – EZ Query and the Basic Data Files rely on two different tables for their lat/long data and those tables got updated at different times. Last night they were synced and the searches should now return the same lat/long values.

Let me know.

Thanks, R.

**From:** Popovich, Nadja [<mailto:nadja.popovich@nytimes.com>]  
**Sent:** Wednesday, January 31, 2018 10:58 AM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** Re: New York Times inquiry: Toxic Release Inventory

Hi Robert, wanted to check in: Do you have an estimated time it may take to get a response? Just need to plan some things out. Thanks again for all your help.

One more example that I think is quite indicative of my concerns within the 2016 data download file is ENTERPRISE PRODUCTS OPERATING LLC at 10207 FM 1942 MONT BELVIEU CHAMBERS TX 77580 (TRI id # 77580NTRPR10207). In the downloaded file the lat-long coordinates are given as 29.8247, -94.9197. However, that actually points to a different facility: Chevron Phillips, in Baytown, TX, just down the road.

The latitude and longitude provided by EZ-search appear to be pointing to the correct facility: 29.857573, -94.912893

Do you know what the issue is with the downloadable file lat/longs? And is there any way to get the EZ-search lat/longs in one file, if they are better to use?

-Nadja

On Tue, Jan 30, 2018 at 6:52 PM, Daguiard, Robert  
<[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

OK, thanks.

Robert Daguiard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Jan 30, 2018, at 6:17 PM, Popovich, Nadja  
<[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)> wrote:

The reason I am asking these questions is because in select cases it appears as if the lat/long coordinate from the 2016 file points to a riverbank or tailings pond instead of the facility itself. Could you tell me what the definition of "center of activity" is please? Along with my previous lat/longs question.

Please see this example from Georgia Pacific Consumer (OK), mentioned in the previous email:

The red marker is the 2016 file lat/long. The 4901 address is the main address from the 2016 file.

[Inline image 1]

Meanwhile, the lat/long from the EZ-search is here (red marker):

[Inline image 2]

We are undertaking a project for which it is important that the lat/long coordinates are fair stand-ins for the TRI facilities themselves, so I just wonder how confident you and the TRI experts are that the 2016 file coordinates really do represent the facilities.

Many thanks again,  
Nadja

--

Graphics Editor, Climate Team

The New York Times

(202) 862-0313

[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)

--

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--

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[nadja.popovich@nytimes.com](mailto:nadja.popovich@nytimes.com)

Message

**From:** Ross, David P [ross.davidp@epa.gov]  
**Sent:** 3/20/2018 2:44:47 PM  
**To:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**CC:** Brown, Byron [brown.byron@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** Re: EPA ethics documents

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Mar 20, 2018, at 9:30 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Byron and David –

Let us know if you want us to say anything. It's just EE News.

---

**From:** Kevin Bogardus [mailto:kbogardus@eenews.net]  
**Sent:** Tuesday, March 20, 2018 9:18 AM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Press <Press@epa.gov>  
**Subject:** Re: EPA ethics documents

Hey guys, any progress on the below? Please let me know. My deadline is noon EST today. Thanks for your help.

-Kevin

Sent from my iPhone

On Mar 19, 2018, at 5:23 PM, Kevin Bogardus <kbogardus@eenews.net> wrote:

Hey everyone, upon closer examination, I realized one of my questions is answered by the documents, which is Henry Darwin identifies Veronica Darwin as his spouse in his recusal statement. So that question is answered.

That said, my other two questions still stand, which are:

- <!--[if !supportLists]--><!--[endif]-->Does Byron Brown plan to sign President Trump's ethics pledge? If so, when? As stated in his recusal, Brown is in an "administratively determined" position so he is not technically a political



appointee and thus does not have to sign the pledge. That said, other “administratively determined” employees at EPA have been converted into political appointees and have signed the pledge.

- <!--[if !supportLists]--><!--[endif]-->Why did Dave Ross recuse himself from Pebble Mine permitting but not the Chesapeake Bay Program? Ross co-authored comments on the Bristol Bay Assessment but he also represented the American Farm Bureau Federation in their lawsuit against the Chesapeake Bay TMDL during the same time as an attorney at Crowell & Moring.

Please get back to me before my final deadline of noon EST Tuesday, March 20. Thank you for your help.

-Kevin

---

**From:** Kevin Bogardus

**Sent:** Monday, March 19, 2018 10:28 AM

**To:** 'Bowman, Liz' <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; 'Konkus, John' <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; 'Ferguson, Lincoln' <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>; 'Wilcox, Jahan' <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; 'Abboud, Michael' <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; 'Hewitt, James' <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; 'Block, Molly' <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; 'Daniell, Kelsi' <[daniell.kelsi@epa.gov](mailto:daniell.kelsi@epa.gov)>; 'Press' <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: EPA ethics documents

Hey guys, just an update on this: I asked for and received a deadline extension for this piece. My new final deadline is noon EST Tuesday, March 20. Please get back to me before then. Thank you for your help.

-Kevin

---

**From:** Kevin Bogardus

**Sent:** Friday, March 16, 2018 5:38 PM

**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; 'Abboud, Michael' <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Daniell, Kelsi <[daniell.kelsi@epa.gov](mailto:daniell.kelsi@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** EPA ethics documents

Hey everyone,

It's Kevin Bogardus with E&E News.

I'm working on a piece about the latest batch of EPA ethics documents that I obtained under the Freedom of Information Act, including some of that are attached to this email. I plan to mention in my story the EPA political appointees by name and their various ethics actions as detailed in the attached records. I did have a few questions for you about this, which are:

- <!--[if !supportLists]--><!--[endif]-->Does Byron Brown plan to sign President Trump's ethics pledge? If so, when? As stated in his recusal, Brown is in an “administratively determined” position so he is not technically a political appointee and thus does not have to sign the pledge. That said, other

“administratively determined” employees at EPA have been converted into political appointees and have signed the pledge.

- <!--[if !supportLists]--><!--[endif]-->Why did Dave Ross recuse himself from Pebble Mine permitting but not the Chesapeake Bay Program? Ross co-authored comments on the Bristol Bay Assessment but he also represented the American Farm Bureau Federation in their lawsuit against the Chesapeake Bay TMDL during the same time as an attorney at Crowell & Moring.
- <!--[if !supportLists]--><!--[endif]-->Just to check for accuracy and not for attribution, I understand that Veronica Darwin and Henry Darwin are married. Is that accurate?

Also, I also plan to mention ethics documents for the following EPA officials as well in my story, although I have no questions about them. I would attach their records to this email but it would bounce back for being too large. Please let me know if you want to share any thoughts about their records.

Matt Leopold  
Erik Baptist  
David Fotouhi  
Justin Schwab  
Sarah Greenwalt  
Richard Yamada  
Tate Bennett  
Troy Lyons

Please get back to me as soon as possible. My deadline is noon EST Monday, March 19, but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

**Kevin Bogardus**  
E&E News reporter  
[kbogardus@eenews.net](mailto:kbogardus@eenews.net)  
202-446-0401 (p)  

Ex. 6 Personal Privacy (PP) (C)

  
202-737-5299 (f)

Follow me [@KevinBogardus](https://twitter.com/KevinBogardus)

---

#### **E&E NEWS**

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/8/2018 9:00:35 PM  
**To:** Press [Press@epa.gov]  
**Subject:** For Review: Resource Recycling (Bobby Elliott) E-Waste and U.S. export law - 3/8

## SUMMARY

Response approved by the Associate Division Director of the Materials Recovery and Waste Management Division. – Bobby Elliott – Resource Recycling – [bobby@resource-recycling.com](mailto:bobby@resource-recycling.com)

### Response:

#### 1.) Is RCRA the lone U.S. law that currently governs the export of e-scrap?

**Ex. 5 Deliberative Process (DP)**

#### 2.) As I understand it, RCRA exempts e-scrap from being classified as a hazardous waste as long as the waste is being sent for domestic or international recycling. Is this accurate?

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

3.) Is the CRT rule the only device-specific regulation concerning the downstream movement of end-of-life electronics?

## Ex. 5 Deliberative Process (DP)

4.) It's my understanding that firms specifically exporting CRT material must provide U.S. EPA with written approval from an importing country before shipping the material overseas. Are companies required to do this for any other devices bound for export?

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+ **Ex. 6 Personal Privacy (PP)**  
+1 (202) 360-0476 (M)

**From:** Bobby Elliott [mailto:bobby@resource-recycling.com]  
**Sent:** Wednesday, March 07, 2018 4:38 PM  
**To:** Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>  
**Subject:** Fwd: U.S. export law

----- Forwarded message -----

From: **Bobby Elliott** <bobby@resource-recycling.com>

Date: Wed, Mar 7, 2018 at 4:36 PM  
Subject: U.S. export law  
To: "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

Hey Tricia,

I am working on a multi-part story on U.S. exports of e-scrap and I wanted to reach out to you on background just to make sure I'm looking into every possible avenue for our coverage.

The first story we're working on is an effort to understand current U.S. law when it comes to exporting e-scrap. My questions below are pretty straightforward and just aimed at clarity above all - let me know if you can get back to me by end of day tomorrow. This is not for attribution, only for background.

- 1.) Is RCRA the lone U.S. law that currently governs the export of e-scrap?
- 2.) As I understand it, RCRA exempts e-scrap from being classified as a hazardous waste as long as the waste is being sent for domestic or international recycling. Is this accurate?
- 3.) Is the CRT rule the only device-specific regulation concerning the downstream movement of end-of-life electronics?
- 4.) It's my understanding that firms specifically exporting CRT material must provide U.S. EPA with written approval from an importing country before shipping the material overseas. Are companies required to do this for any other devices bound for export?

Thanks as always for your help on this, Tricia -

Bobby

--

Bobby Elliott  
Editor at Large  
Resource Recycling  
[917-885-4592](tel:917-885-4592)

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Bobby Elliott  
Editor at Large  
Resource Recycling  
[917-885-4592](tel:917-885-4592)

Message

**From:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Sent:** 2/27/2018 6:59:32 PM  
**To:** Maguire, Megan [Maguire.Megan@epa.gov]  
**CC:** Block, Molly [block.molly@epa.gov]  
**Subject:** RE: FOR REVIEW: Clarification on NCER consolidation

Yes, let's make sure we are **Ex. 5 Deliberative Process (DP)**

**From:** Maguire, Megan  
**Sent:** Tuesday, February 27, 2018 1:58 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>  
**Cc:** Block, Molly <block.molly@epa.gov>  
**Subject:** Re: FOR REVIEW: Clarification on NCER consolidation

**Ex. 5 Deliberative Process (DP)**

see italics below

**Ex. 5 Deliberative Process (DP)**

Sent from my iPhone

On Feb 27, 2018, at 1:53 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

**Ex. 5 Deliberative Process (DP)**

**From:** Block, Molly  
**Sent:** Tuesday, February 27, 2018 1:46 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Maguire, Megan <Maguire.Megan@epa.gov>  
**Subject:** FOR REVIEW: Clarification on NCER consolidation

Suggested response options (from Liz's email earlier): **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

OR

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

**From:** Yessenia Funes [mailto:yessenia.funes@gizmodomedia.com]  
**Sent:** Tuesday, February 27, 2018 1:29 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** Re: URGENT: Clarification on NCER consolidation

Molly, so the National Center for Environmental Research would still exist under this consolidation?

**Yessenia Funes**

Environmental Justice Reporter, Earth  
Gizmodo Media Group  
New York, NY  
516-495-0370  
@yessfun

Follow us on Facebook and Twitter.

On Tue, Feb 27, 2018 at 1:22 PM, Yessenia Funes <yessenia.funes@gizmodomedia.com> wrote:

Thanks for this response, Molly.

**Yessenia Funes**

Environmental Justice Reporter, Earth  
Gizmodo Media Group  
New York, NY  
516-495-0370  
@yessfun

Follow us on Facebook and Twitter.

On Tue, Feb 27, 2018 at 10:56 AM, Block, Molly <block.molly@epa.gov> wrote:

Yessenia –

“In order to maintain the quality of EPA’s research, ORD career and political leaders are proposing management efficiencies to staff. ORD is **proposing** combining offices and functions into a new Office of Resource Management, including reorganizing staff to the labs and offices where their expertise is most effective. This potential reorganization would not affect anyone’s employment or status and the management of research grants will continue. ORD leadership is currently holding listening sessions with staff across the country to discuss this proposal, so everyone can work together to develop the best organization possible.” - EPA Spokeswoman Liz Bowman

**Background:** This is only a proposed re-organization. No one is losing their job; no one is being demoted. As this is a proposal, it is not final and we are holding numerous “town halls” with staff to discuss the proposed changes to ensure we are developing the best organization possible.

As an email from the career head of this department explained, "In order to maintain the quality and focus of our research, our senior leadership team is proactively taking steps to create greater management efficiencies within the organization.

"In phase one we are establishing a new office, the Office of Resource Management, by consolidating two offices that provide administrative and budget support, with our center that funds high quality research through grants and small business innovative research contracts. FOIA, records management, and budget formulation functions from other organizations will also be moved into this office.

"We will also be looking at the rest of the organization and will begin that process by collecting input from staff over the next two weeks."

Best,

Molly

**From:** Yessenia Funes [mailto:[yessenia.funes@gizmodomedia.com](mailto:yessenia.funes@gizmodomedia.com)]  
**Sent:** Tuesday, February 27, 2018 8:52 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** URGENT: Clarification on NCER consolidation

Good morning,

My name is Yessenia Funes. I'm a reporter with Earther, a national environmental news site with the Gizmodo Media Group.

I'm seeking some clarification on [this story](#) The Hill reported that the NCER program will be consolidated. It's not clear to me if the research will continue, and, if so, how? This program has led to some amazing research, and I'm just curious if the EPA will still support said research.

I am hoping to get a story out about this by 2 pm. Thanks.



**Yessenia Funes**

Environmental Justice Reporter, Earthar

Gizmodo Media Group

New York, NY

516-495-0370

@yessfun

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Message

**From:** Konkus, John [konkus.john@epa.gov]  
**Sent:** 1/12/2018 9:38:43 PM  
**To:** Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]  
**Subject:** RE: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

We might also want to **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

**From:** Block, Molly  
**Sent:** Friday, January 12, 2018 4:27 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>  
**Subject:** FW: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)  
**Importance:** High

Just want to make sure we're ok with sharing this list. **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)** We sent this info to the reporter on background, but she wants to know if she can publish the list. Thanks!

A disclaimer from Enesta: **Note:** **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

**From:** Block, Molly  
**Sent:** Wednesday, January 10, 2018 8:15 AM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Pared it down a bit and no need for attribution because this is all background info.

On background:

## Ex. 5 Deliberative Process (DP)

**From:** Jones, Enesta  
**Sent:** Tuesday, January 9, 2018 5:27 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

**Background:** Bloomberg Environment reporter is asking for the names and number of Superfund sites on the National Priorities List that are contaminated with the chemical, Per- and polyfluoroalkyl substances (PFAS). **Note:** **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)** Response input from OLEM. Sylvia Carignan, [scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)

Suggested Response:

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

**From:** "Carignan, Sylvia" <[scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)>

**Date:** January 3, 2018 at 1:16:54 PM EST

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** PFAS at Superfund sites

Hi all,

Happy new year! Hope you all got some time off. I'd like to follow up on something I heard about before the holidays:

It's my understanding that EPA has identified 32 federal and 15 non-federal NPL sites contaminated by PFAS. Could you provide the names of those sites?

And if there's an estimate of how many other NPL sites could be affected by PFAS, let me know about that as well. Dr. Tom Sinks had mentioned in a November presentation that there were likely "hundreds," but I'd like to know if EPA has a narrower estimate.

My deadline for this is Friday at 3 p.m.; let me know if that won't be enough time.

Best,  
Sylvia

\*\*\*\*\*

**Sylvia Carignan**  
Reporter, Superfund and Waste

**Bloomberg BNA**  
1801 S Bell St, Arlington VA 22202

Direct 703-341-3708  
[scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)

Message

**From:** Konkus, John [konkus.john@epa.gov]  
**Sent:** 1/12/2018 9:36:13 PM  
**To:** Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]  
**Subject:** RE: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

My only hesitation would be to **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

**From:** Block, Molly  
**Sent:** Friday, January 12, 2018 4:27 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>  
**Subject:** FW: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)  
**Importance:** High

Just want to make sure we're ok with **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)** We sent this info to the reporter on background, but she wants to know if she can publish the list. Thanks!

A disclaimer from Enesta: **Note:** **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

**From:** Block, Molly  
**Sent:** Wednesday, January 10, 2018 8:15 AM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Pared it down a bit and no need for attribution because this is all background info.

On background:

## Ex. 5 Deliberative Process (DP)

**From:** Jones, Enesta  
**Sent:** Tuesday, January 9, 2018 5:27 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

**Background:** Bloomberg Environment reporter is asking for the names and number of Superfund sites on the National Priorities List that are contaminated with the chemical, Per- and polyfluoroalkyl substances (PFAS). **Note:** **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

Suggested Response:

Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

**From:** "Carignan, Sylvia" <[scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)>

**Date:** January 3, 2018 at 1:16:54 PM EST

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** PFAS at Superfund sites

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It's my understanding that EPA has identified 32 federal and 15 non-federal NPL sites contaminated by PFAS. Could you provide the names of those sites?

And if there's an estimate of how many other NPL sites could be affected by PFAS, let me know about that as well. Dr. Tom Sinks had mentioned in a November presentation that there were likely "hundreds," but I'd like to know if EPA has a narrower estimate.

My deadline for this is Friday at 3 p.m.; let me know if that won't be enough time.

Best,  
Sylvia

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**Sylvia Carignan**  
Reporter, Superfund and Waste

**Bloomberg BNA**  
1801 S Bell St, Arlington VA 22202

Direct 703-341-3708  
[scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)

Message

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**From:** Daniell, Kelsi [daniell.kelsi@epa.gov]  
**Sent:** 1/10/2018 7:56:40 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: The Doctors Talk Show (Olivia Hass) re drinking water statement fact check (Deadline: 1/10)

Let's do this.

Attributable to an EPA spokesperson:

## Ex. 5 Deliberative Process (DP)

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**From:** Jones, Enesta  
**Sent:** Wednesday, January 10, 2018 2:02 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: The Doctors Talk Show (Olivia Hass) re drinking water statement fact check (Deadline: 1/10)

**Suggested Response:** Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**From:** "Hass, Olivia" <olivia.hass@cbs.com>  
**Date:** January 10, 2018 at 1:37:21 PM EST  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Media Inquiry: CBS - The Doctors Talk Show

Hi Enesta,  
Thank you for all of these answers. We have written the following statement to be said during our show tomorrow. Is this okay with the EPA?

The Environment Protection Agency says that American tap water is safe, of the highest quality and always reliable. Filtering your tap water would be a matter of personal preference.

Please let me know if this statement is okay for us to use, credited to the EPA.

Thank you!



**P: (323) 956-8545 F: (323) 862-2221**  
5555 Melrose Ave. Mae West Bldg.  
Los Angeles, CA 90038



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**From:** Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]  
**Sent:** Tuesday, January 09, 2018 1:31 PM  
**To:** Hass, Olivia  
**Cc:** Press  
**Subject:** Media Inquiry: CBS - The Doctors Talk Show

Hi Olivia, for attribution to an EPA spokesperson:

### 1. Is tap water safe to drink?

The United States has one of the safest water supplies in the world. Congress passed the Safe Drinking Water Act (SDWA) in 1974 to protect public health by regulating public drinking water systems. SDWA requires EPA to establish and enforce standards that public drinking water systems must follow. EPA delegates primary enforcement responsibility (also called primacy) for public water systems to states and Indian Tribes if they meet certain requirements. Link: <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-your-drinking-water>. Congress passed the Safe Drinking Water Act (SDWA) in 1974 to protect public health, including by regulating public water systems.

Over 151,000 public water systems provide drinking water to most Americans. Customers that are served by a public water system can contact their local water supplier and ask for information on contaminants in their drinking water, and are encouraged to request a copy of their Consumer Confidence Report. This report lists the levels of contaminants that have been detected in the water, including those by EPA, and whether the system meets state and EPA drinking water standards.

About 10 percent of people in the United States rely on water from private wells. Private wells are not regulated under the SDWA. People who use private wells need to take precautions to ensure their drinking water is safe. [Learn more about private wells](#)

### 2. Are there chemicals in tap water? How do they get there? Are they added purposefully? If so what chemicals? Are they safe to drink?

A change in your water's taste, color, or smell is not necessarily a health concern. However, sometimes changes can be a sign of problems. If you notice a change in your water or you want to learn more about where your tap water comes from, call your public water system. The name of your public water system can be found on your water bill. When water quality standards have not been met, your public water system must notify you through the media (television or radio), mail, or other means. Your annual Consumer Confidence Report (CCR) is another way to find out about the water quality in your area. It provides information regarding contaminants, possible health effects, and the water's source. There are three levels of public notification. A Tier 1 notification pertains to the most serious and acute contamination events. Notification must be broadcast by local media within 24 hours. Tier 2 allows for a 30-day notification. Tier 3 provides notification through the annual consumer confidence report. Many public water systems now post their report online. Public water systems are required to provide a copy upon receiving a request. More information for consumers: <https://www.epa.gov/ccr>

If you are not served by a public water system and have your own well, and you want to test your water, your local health department should be able to assist in explaining any tests that you need for various contaminants. If your local health department is not able to help you can contact a state certified laboratory to perform the test. To find a state certified laboratory in your area call the Safe Drinking Water Hotline at (800) 426-4791.

### 3. What is the best way to filter tap water?

Filters that have been certified against an ANSI/NSF standard have met the performance requirements in the standard. Third-party certifiers would maintain the data that shows the product meets the standard, not EPA. If people are looking to remove a particular contaminant, EPA does recommend that they look for products that have been independently certified to remove that contaminant.

#### **4. Are purchasable filters, such as BRITA filters, effective in filtering tap water? (link to Q3)**

Water delivered to the tap that meets regulatory limits is typically considered protective of public health. However, there are still residual contaminants when the water leaves the drinking water plant, or in some cases, contaminants that enter or are formed in drinking water when water is flowing from the treatment plant to the consumer's tap. Some consumers elect to remove these contaminants with additional filters. Many different types of filters are available to consumers. Determining which type is most effective and appropriate depends on what contaminants the consumer wishes to remove. No filter eliminates all contaminants, so understanding what filters remove and do not remove is important. It is also extremely important to maintain filters consistent with the manufacturer's recommendations to ensure the filter maintains its effectiveness and does not cause more potential contamination of water.

For more information, please see the CDC website: <https://www.cdc.gov/healthywater/drinking/home-water-treatment/water-filters/step3.html>

You also might find this link useful to evaluate manufacturer claims about effectiveness:  
[https://www.waterboards.ca.gov/drinking\\_water/certlic/device/watertreatmentdevices.shtml](https://www.waterboards.ca.gov/drinking_water/certlic/device/watertreatmentdevices.shtml)  
<http://www.nsf.org/>

#### **5. Is "raw water" safe to drink?**

Drinking raw water may pose risks for consumers. While untreated spring water and mountain stream water may look pure, it can be contaminated with bacteria, viruses, parasites, and other contaminants. These microbial contaminants can come from "natural" sources such as animals living in the watersheds or erosion from streambanks, among other sources. These organisms, including *Cryptosporidium*, *Giardia*, *Shigella*, and norovirus, among others, can cause consumers to become sick. When water is untreated, there's risk that it will contain these harmful organisms.

You can learn more about the quality of drinking water in your area by reading your Consumer Confidence Report Link: <https://www.epa.gov/ccr>

#### **6. Would the EPA be willing to provide an official statement regarding the safety of drinking tap water and raw water?**

Water delivered to the tap that meets regulatory limits is typically considered protective of public health. EPA cannot ensure that untreated raw water is also protective of public health, as any possible sources of contamination would not be removed by treatment, observed by monitoring, or reported to consumers.

**From:** "Hass, Olivia" <[olivia.hass@cbs.com](mailto:olivia.hass@cbs.com)>

**Date:** January 8, 2018 at 5:47:37 PM EST

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Media Inquiry: CBS - The Doctors Talk Show

Hello,

My name is Olivia Hass and I am a Production Assistant at The Doctors ([thedoctorstv.com](http://thedoctorstv.com)) a daytime, medical talk show. For our show this week are a having a discussion surrounding the safety of drinking tap water and the safety of drinking what is called "raw water".

We have some questions surrounding this topic and are hoping the EPA can provide insight. Here are our following questions:

1. Is tap water safe to drink?
2. Are there chemicals in tap water? How do they get there? Are they added purposefully? If so what chemicals? Are they safe to drink?
3. What is the best way to filter tap water?
4. Are purchasable filters (such as, BRITA filters) effective in cleaning tap water?
5. Is "raw water" safe to drink?
6. Would the EPA be willing to provide an official statement regarding the safety of drinking tap water and raw water?

Please let me know if you have any questions. It would be preferable to have these answers by end of day today (5pm PST) Thank you!

Best,

*Olivia Hass*  
**Production Assistant**



**P: (323) 956-8545 F: (323) 862-2221**

5555 Melrose Ave. Mae West Bldg.  
Los Angeles, CA 90038

**From:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Sent:** 1/3/2018 10:30:53 PM  
**To:** Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]  
**Subject:** FW: Subject: Press Inquiry about Food Waste

This is an example where we can **Ex. 5 Deliberative Process (DP)**

**From:** Lynn, Tricia  
**Sent:** Wednesday, January 3, 2018 5:28 PM  
**To:** Haddon, Heather <heather.haddon@wsj.com>  
**Subject:** Re: Subject: Press Inquiry about Food Waste

Hi Heather—

If attributing, please attribute to “an EPA spokesperson:”

1. **Is food waste becoming more of a focus for the federal government? Or is that a core mission for 2018?**
  - a. EPA has seen encouraging efforts all around the U.S. in many public and private sectors since we and USDA announced the national goal to reduce food loss and waste by 50% by 2030. We have seen a steady increase in the number of participants in EPA’s Food Recovery Challenge and increases in the food they prevent and divert from being sent to landfills. EPA’s sustainable management of food efforts are committed to working across industries and state lines to discover solutions that feed our communities, enrich our soil and boost our economy.
2. **How has the agency taken steps to fulfill the 2030 food loss and waste reduction goal?**
  - a. Action to reduce food loss and waste continues to grow based on efforts by many different organizations, and EPA contributed to the momentum through many activities in the past year, including:
    - ? Formation of the U.S. Food Loss and Waste 2030 Champions
      - o Recognizing the potential to showcase innovative private sector efforts to reduce food loss and waste in support of the 2030 national goal to reduce food loss and waste, EPA and USDA highlighted a group of major businesses and organizations that made a public commitment to reduce food loss and waste in their own operations by 50 percent by the year 2030. Currently, there are twenty “2030 Champions.”
    - ? Creating the Guide to Conducting Student Food Waste Audits: A Resource for Schools
      - o EPA, USDA, and the University of Arkansas collaborated to create a guide for students and school personnel about the amount of food wasted in their cafeterias. The guide provides information on why and how to do a food waste audit, what to do with the collected data, and offers food waste prevention ideas.
    - ? Convening the Midwest Food Recovery Summit
      - o In September 2017, EPA co-sponsored the Midwest Food Recovery Summit with the Iowa Waste Reduction Center at the University of Northern Iowa and BioCycle Magazine. The two-and-a-half-day event brought awareness and education about food waste reduction and recovery to the over 150 attendees

through their participation in educational breakout sessions, interactive workshops, and inspiring keynotes.

**3. Is that still a priority for the current administration?**

- a. The EPA Administrator recognizes the Food Recovery Challenge award winners as role models in their communities and for other organizations, noting that their hard work and effective efforts to divert wasted food from landfills is paying off through social, financial and environmental benefits. He encourages other organizations to replicate the successful food recovery operations of the Challenge winners.
- b. Additionally, Administrator Pruitt recently traveled to Walt Disney World to highlight their commitment to sustainability through a program that converts 120,000 tons of food waste a year into electric power that would otherwise end up in landfills. See WSJ article here: <https://www.wsj.com/articles/epa-chief-scott-pruitt-signals-his-environmental-strategy-1511900162>

**4. How many groups have signed on to the Food Recovery Challenge?**

- a. The Food Recovery Challenge (FRC) is an incentive program with over 950 organizations that have made commitments to reduce food loss and waste, track progress, and report results. In 2017, FRC participants reported significant results, preventing and diverting over 740,000 tons of food from disposal in 2016. Diversion activities included nearly 310,000 tons donated, 281,000 tons composted, and 85,000 tons anaerobically digested. Participants also saved up to \$37.4 million in avoided fees through their diversion efforts. Sixteen FRC participants were selected for national recognition for outstanding achievements through strategies, such as reducing over-production, sending food scraps for animal feed, and providing in-house food recovery training.

**5. How much funding has the program received?**

The Food Recovery Challenge (FRC) is a part of the Sustainable Materials Management program. The FRC does not have a designated line item in the budget, but is supported by staff time and a data management system

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

**From:** Haddon, Heather [<mailto:heather.haddon@wsj.com>]  
**Sent:** Friday, December 29, 2017 10:46 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Subject: Press Inquiry about Food Waste

Hello Robert,

I'm interested in potentially exploring a story about the EPA's food waste efforts, including anything to potentially back FoodMaven or other startups addressing the issue. Could I arrange for an interview with a subject expert in this area? Let me know what's possible when you can.

Thanks in advance.

Heather

On Thu, Oct 26, 2017 at 3:11 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Heather, for attribution to "an EPA spokesperson," please:

Food Maven participated in the Midwest Food Recovery Summit in Des Moines, IA in early September (<https://iwrc.uni.edu/foodrecoverysummit/speakers/bultema>) in the Thursday, 9/7 panel session, Tools and Resources to Promote Recovery and Donation Efforts.

EPA supports a variety of efforts and strategies that reduce the amount of wholesome, nutritious food going to landfills. See our Food Recovery Hierarchy (<https://www.epa.gov/sustainable-management-food/food-recovery-hierarchy>).

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

[+1 \(202\) 564-6618](tel:+12025646618) (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Haddon, Heather [<mailto:heather.haddon@wsj.com>]

**Sent:** Thursday, October 26, 2017 2:08 PM

**To:** StClair, Christie <[StClair.Christie@epa.gov](mailto:StClair.Christie@epa.gov)>

**Subject:** Press Inquiry about Food Waste

Hello,

I'm the food retail reporter for the Journal, and am working on a story about a Colorado company that has built a marketplace to sell food waste to restaurants and food service companies. It's called Food Maven. My understanding is that the EPA had the CEO of the company, Patrick Bultema, speak at a recent conference. Looking to confirm and get some detail if so, or if the agency supports this effort more generally. Any response by tomorrow would be most appreciated. I'm at my desk if it would help to discuss.

Thanks,

Heather

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~~~~~  
Heather Haddon  
Wall Street Journal  
312-750-4118 (o)  

Ex. 6 Personal Privacy (PP) (C)

  
@heatherhaddon

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~~~~~  
Heather Haddon  
The Wall Street Journal  
312-750-4118 (o)  

Ex. 6 Personal Privacy (PP) (C)

  
@heatherhaddon

**From:** Daniell, Kelsi [daniell.kelsi@epa.gov]  
**Sent:** 1/10/2018 7:31:11 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**Subject:** RE: For Review: The Doctors Talk Show (Olivia Hass) re drinking water statement fact check (Deadline: 1/10)

## Ex. 5 Deliberative Process (DP)

**From:** Block, Molly  
**Sent:** Wednesday, January 10, 2018 2:26 PM  
**To:** Daniell, Kelsi <daniell.kelsi@epa.gov>  
**Subject:** RE: For Review: The Doctors Talk Show (Olivia Hass) re drinking water statement fact check (Deadline: 1/10)

## Ex. 5 Deliberative Process (DP)

**From:** Jones, Enesta  
**Sent:** Wednesday, January 10, 2018 2:02 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: The Doctors Talk Show (Olivia Hass) re drinking water statement fact check (Deadline: 1/10)

**Suggested Response:** Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**From:** "Hass, Olivia" <olivia.hass@cbs.com>  
**Date:** January 10, 2018 at 1:37:21 PM EST  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Media Inquiry: CBS - The Doctors Talk Show

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Thank you!





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5555 Melrose Ave. Mae West Bldg.  
Los Angeles, CA 90038

---

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**Sent:** Tuesday, January 09, 2018 1:31 PM  
**To:** Hass, Olivia  
**Cc:** Press  
**Subject:** Media Inquiry: CBS - The Doctors Talk Show

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### 1. Is tap water safe to drink?

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About 10 percent of people in the United States rely on water from private wells. Private wells are not regulated under the SDWA. People who use private wells need to take precautions to ensure their drinking water is safe. [Learn more about private wells](#)

### 2. Are there chemicals in tap water? How do they get there? Are they added purposefully? If so what chemicals? Are they safe to drink?

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### **4. Are purchasable filters, such as BRITA filters, effective in filtering tap water? (link to Q3)**

Water delivered to the tap that meets regulatory limits is typically considered protective of public health. However, there are still residual contaminants when the water leaves the drinking water plant, or in some cases, contaminants that enter or are formed in drinking water when water is flowing from the treatment plant to the consumer's tap. Some consumers elect to remove these contaminants with additional filters. Many different types of filters are available to consumers. Determining which type is most effective and appropriate depends on what contaminants the consumer wishes to remove. No filter eliminates all contaminants, so understanding what filters remove and do not remove is important. It is also extremely important to maintain filters consistent with the manufacturer's recommendations to ensure the filter maintains its effectiveness and does not cause more potential contamination of water.

For more information, please see the CDC website: <https://www.cdc.gov/healthywater/drinking/home-water-treatment/water-filters/step3.html>

You also might find this link useful to evaluate manufacturer claims about effectiveness:  
[https://www.waterboards.ca.gov/drinking\\_water/certlic/device/watertreatmentdevices.shtml](https://www.waterboards.ca.gov/drinking_water/certlic/device/watertreatmentdevices.shtml)  
<http://www.nsf.org/>

### **5. Is "raw water" safe to drink?**

Drinking raw water may pose risks for consumers. While untreated spring water and mountain stream water may look pure, it can be contaminated with bacteria, viruses, parasites, and other contaminants. These microbial contaminants can come from "natural" sources such as animals living in the watersheds or erosion from streambanks, among other sources. These organisms, including *Cryptosporidium*, *Giardia*, *Shigella*, and norovirus, among others, can cause consumers to become sick. When water is untreated, there's risk that it will contain these harmful organisms.

You can learn more about the quality of drinking water in your area by reading your Consumer Confidence Report Link: <https://www.epa.gov/ccr>

### **6. Would the EPA be willing to provide an official statement regarding the safety of drinking tap water and raw water?**

Water delivered to the tap that meets regulatory limits is typically considered protective of public health. EPA cannot ensure that untreated raw water is also protective of public health, as any possible sources of contamination would not be removed by treatment, observed by monitoring, or reported to consumers.

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**Date:** January 8, 2018 at 5:47:37 PM EST  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Media Inquiry: CBS - The Doctors Talk Show

Hello,

My name is Olivia Hass and I am a Production Assistant at The Doctors ([thedoctorstv.com](http://thedoctorstv.com)) a daytime, medical talk show. For our show this week are a having a discussion surrounding the safety of drinking tap water and the safety of drinking what is called "raw water".

We have some questions surrounding this topic and are hoping the EPA can provide insight. Here are our following questions:

1. Is tap water safe to drink?
2. Are there chemicals in tap water? How do they get there? Are they added purposefully? If so what chemicals? Are they safe to drink?
3. What is the best way to filter tap water?
4. Are purchasable filters (such as, BRITA filters) effective in cleaning tap water?
5. Is "raw water" safe to drink?
6. Would the EPA be willing to provide an official statement regarding the safety of drinking tap water and raw water?

Please let me know if you have any questions. It would be preferable to have these answers by end of day today (5pm PST) Thank you!

Best,

*Olivia Hass*  
**Production Assistant**  


**P: (323) 956-8545 F: (323) 862-2221**

5555 Melrose Ave. Mae West Bldg.  
Los Angeles, CA 90038

Message

---

**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 1/9/2018 11:14:17 PM  
**To:** Press [Press@epa.gov]  
**Subject:** Fwd: BuzzFeed News query: EPA lead water rule

Ignoring.

**From:** Nidhi Subbaraman <nidhi.s@buzzfeed.com>  
**Date:** January 9, 2018 at 6:12:15 PM EST  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: BuzzFeed News query: EPA lead water rule

Appreciate that.

Referring to my other question: Can you confirm if the presentation already published is authentic?

On Tue, Jan 9, 2018 at 6:09 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

**Nidhi, for attribution to an EPA spokesperson:**

We can share the link to the presentation tomorrow when it posts.

**From:** Nidhi Subbaraman [mailto:nidhi.s@buzzfeed.com]  
**Sent:** Tuesday, January 09, 2018 5:04 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>  
**Subject:** Re: BuzzFeed News query: EPA lead water rule

Hi again,

Has the presentation been posted yet? Looks like Bloomberg BNA has published what appears to be the presentation: <https://bna.news/bna.com/environment-and-energy/epa-in-closed-door-meeting-foresees-billions-in-lead-rule-costs>

Can you confirm that this was the one that was used at the Jan 8 meeting?

Thanks, Nidhi

On Mon, Jan 8, 2018 at 8:35 PM, Nidhi Subbaraman <[nidhi.subbaraman@buzzfeed.com](mailto:nidhi.subbaraman@buzzfeed.com)> wrote:

Got it. Thanks.

Sent from my iPhone

On Jan 8, 2018, at 6:57 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Nidhi, for attribution to an EPA spokesperson:

We will be posting the presentation online. We will let you know when it is available.

On Jan 8, 2018, at 9:24 AM, Nidhi Subbaraman <[nidhi.s@buzzfeed.com](mailto:nidhi.s@buzzfeed.com)> wrote:

Thanks. If you have any announcements or releases following the meeting, please send them my way.

On Thu, Jan 4, 2018 at 9:29 AM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Nidhi, attributable to an EPA spokesperson:

We have nothing more to provide at this time.

On Jan 4, 2018, at 7:52 AM, Nidhi Subbaraman <[nidhi.s@buzzfeed.com](mailto:nidhi.s@buzzfeed.com)> wrote:

Hello again Enesta, Checking if the attendee list is confirmed/shareable just yet.

Thanks, Nidhi

On Thu, Dec 14, 2017 at 7:13 PM, Nidhi Subbaraman <[nidhi.s@buzzfeed.com](mailto:nidhi.s@buzzfeed.com)> wrote:

Got it, thanks.

On Thu, Dec 14, 2017 at 2:12 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Not at this time.

On Dec 14, 2017, at 2:10 PM, Nidhi Subbaraman <[nidhi.s@buzzfeed.com](mailto:nidhi.s@buzzfeed.com)> wrote:

Thank you. Are there any details about the individuals who are invited that you can provide?

On Thu, Dec 14, 2017 at 2:03 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Here you go, Nidhi.

<image001.png>

**From:** Nidhi Subbaraman <[nidhi.s@buzzfeed.com](mailto:nidhi.s@buzzfeed.com)>

**Date:** December 14, 2017 at 1:58:38 PM EST

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** BuzzFeed News query: EPA lead water rule

Hello,

This query is regarding the Jan 8. meeting about the Lead and Copper Rule, proposed by the EPA in the following letter.

[https://www.epa.gov/sites/production/files/2017-12/documents/lcr\\_federalism\\_consultation\\_letter.signed.12\\_14\\_17.pdf](https://www.epa.gov/sites/production/files/2017-12/documents/lcr_federalism_consultation_letter.signed.12_14_17.pdf)

Can you send a list of the parties that are invited to this meeting?

Thank you, Nidhi

--

**Nidhi Subbaraman** BuzzFeed News Science reporter

O: (202) 602 1715 | M: Ex. 6 Personal Privacy (PP) Twitter: [@NidhiSubs](https://twitter.com/NidhiSubs)

[1630 Connecticut Ave NW, 7th Floor Washington, DC 20009](https://www.epa.gov/1630)

--

**Nidhi Subbaraman BuzzFeed News Science reporter**

O: (202) 602 1715 | M: Ex. 6 Personal Privacy (PP) Twitter: [@NidhiSubs](#)  
1630 Connecticut Ave NW, 7th Floor Washington, DC 20009

--

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**Nidhi Subbaraman BuzzFeed News Science reporter**

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1630 Connecticut Ave NW, 7th Floor Washington, DC 20009

<image001.png>

--

**Nidhi Subbaraman BuzzFeed News Science reporter**

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1630 Connecticut Ave NW, 7th Floor Washington, DC 20009

--

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**Nidhi Subbaraman** BuzzFeed News Science reporter

O: (202) 602 1715 | M: Ex. 6 Personal Privacy (PP) | Twitter: [@NidhiSubs](#)  
1630 Connecticut Ave NW, 7th Floor Washington, DC 20009



Message

---

**From:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Sent:** 12/27/2017 9:39:39 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]  
**Subject:** Re: MOLLY/JAHAN: lead paint ruling

It's fine, just leave it

Sent from my iPhone

On Dec 27, 2017, at 4:25 PM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Deferring to Jahan on this...

Sent from my iPhone

On Dec 27, 2017, at 4:23 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Molly, Jahan: OK to attribute to either of you? Or to Liz?

**From:** Friedman, Lisa [<mailto:lisa.friedman@nytimes.com>]  
**Sent:** Wednesday, December 27, 2017 4:21 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: lead paint ruling

sorry - one last thing Robert - our desk strenuously objects to using quotes from unnamed people, especially in a situation where it's an agency comment. Is there a good reason why I can't attribute this quote to you?

On Wed, Dec 27, 2017 at 3:23 PM, Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Lisa, for attribution to "an EPA spokesperson," please:

EPA is reviewing the Ninth Circuit's decision to grant the petition for a writ of mandamus.

Lead exposure remains a significant health threat to children, and EPA will continue to work diligently on a number of fronts to address issues surrounding childhood lead exposure from multiple sources.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Friedman, Lisa [mailto:[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)]

**Sent:** Wednesday, December 27, 2017 2:59 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Cc:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>;

Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Re: lead paint ruling

tx!

On Wed, Dec 27, 2017 at 2:57 PM, Daguiard, Robert  
<[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Hey Lisa,

Quick word to acknowledge receipt.

Thanks, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Friedman, Lisa [mailto:[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)]

**Sent:** Wednesday, December 27, 2017 2:35 PM

**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>;  
Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** lead paint ruling

Hi folks. Can I get a comment on this 9th Circuit ruling on EPA's lead paint rules in the next hour or two? Tx much,

Lisa

--

Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

--

Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

--  
Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office  
Ex. 6 Personal Privacy (PP) cell

Message

---

**From:** Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Sent:** 12/27/2017 8:46:52 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: lead paint ruling

Would consult ogc

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**Ex. 6 Personal Privacy (PP) (mobile)**

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, December 27, 2017 3:45 PM  
**To:** Press <Press@epa.gov>  
**Subject:** RE: lead paint ruling

Third Floor?

**From:** Friedman, Lisa [<mailto:lisa.friedman@nytimes.com>]  
**Sent:** Wednesday, December 27, 2017 3:42 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: lead paint ruling

Sorry one other question - can you tell me if EPA is appealing this?

On Wed, Dec 27, 2017 at 3:23 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Lisa, for attribution to "an EPA spokesperson," please:

EPA is reviewing the Ninth Circuit's decision to grant the petition for a writ of mandamus.

Lead exposure remains a significant health threat to children, and EPA will continue to work diligently on a number of fronts to address issues surrounding childhood lead exposure from multiple sources.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Friedman, Lisa [mailto:[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)]

**Sent:** Wednesday, December 27, 2017 2:59 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Cc:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Re: lead paint ruling

tx!

On Wed, Dec 27, 2017 at 2:57 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Hey Lisa,

Quick word to acknowledge receipt.

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) M)

**From:** Friedman, Lisa [mailto:[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)]

**Sent:** Wednesday, December 27, 2017 2:35 PM

**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** lead paint ruling

Hi folks. Can I get a comment on this 9th Circuit ruling on EPA's lead paint rules in the next hour or two? Tx much,

Lisa

--

Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

--

Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

--

Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office  

Ex. 6 Personal Privacy (PP)

 cell



Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/16/2018 4:12:52 PM  
**To:** geraint.roberts@chemicalwatch.com  
**CC:** Press [Press@epa.gov]  
**Subject:** Your questions for US EPA

Geraint, for attribution to “an EPA spokesperson, please.”

**Response:**

Information is available in the Office of Enforcement and Compliance Assurance FY 16-17 National Program Manager Guidance. Pages 36-37 (attached below) address the TSCA New and Existing Chemicals Program. The source document for these pages is available here: <https://www.epa.gov/planandbudget/national-program-manager-guidances#fy20162017>

- Enter all federal inspection and enforcement cases into the national database ICIS in a timely and accurate manner.
- As necessary, work with OECA to identify and evaluate program areas that could become national priorities/enforcement initiatives in the future.

**Measures:** See ACS measures TSCA 01OC and TSCA 02OC in Appendix 2 on pages 7-8. The Lead Based Paint component of ACS commitment TSCA 01OC will serve as an OECA FY 2016 measure of compliance work being done to protect children's health.

## **B. TSCA New and Existing Chemicals Programs**

**Description:** The TSCA New and Existing Chemicals Program is exclusively a federal program that provides for review of the risk of chemicals prior to their manufacture and importation to prevent unreasonable risk to human health and the environment and requires a series of notifications and submissions from regulated industry. For FY 2016-2017, 90 percent of the region's TSCA resources should focus on the lead compliance assurance program<sup>9</sup>. However, up to 20 percent of these same resources may be shifted by the region to other TSCA compliance assurance activities consistent with this NPM Guidance. The intent here is to provide flexibility for regional TSCA initiatives and to take into account unique regional situations. Where regions choose to exercise this flexibility they should provide a rationale and articulate how this flexibility is consistent (or why inconsistent) with the Compliance Monitoring Strategy (CMS) for the Toxic Substances Control Act.

### **Activities:**

EPA regions opting to engage in compliance monitoring and assurance activities for TSCA New and Existing Chemicals should:

- Focus on chemical manufacturing (including importing), distribution, processing, use, or disposal of new chemicals. Focus monitoring and enforcement efforts on ensuring facility compliance with TSCA § 5 - new chemicals requirements such as Pre-manufacturing Notice (PMN); Significant New Use Rules (SNUR's); Low Volume Exemptions (LVE's), and on chemicals of concern including short chained and other chlorinated paraffins, fractions, Work Plan and other priority or Action Plan chemicals or targets.
- Implement the Compliance Monitoring Strategy for the Toxic Substances Control Act (September 16, 2011)<sup>10</sup> including Appendix B which addresses New and Existing Chemicals.
- Obtain information through inspections and/or subpoena as appropriate. Increase the use of TSCA subpoenas for investigation of potential noncompliance.
- Initiate civil enforcement actions, as appropriate, to bring facilities into compliance, consistent with national policy.

<sup>9</sup> Please see the description section for the TSCA Chemical Risk Reduction Programs on page 34.

<sup>10</sup> The TSCA CMS, including Appendix B, can be found at: <http://www2.epa.gov/sites/production/files/2014-01/documents/tscn-cms.pdf>.

- Target existing chemical reporting and record keeping requirements such as TSCA § 4, 8 and the 2016 Chemical Data Reporting Rule.
- Evaluate and prioritize tips and complaints and follow-up as appropriate. Regions not implementing this program should refer tips and complaints to the Waste and Chemical Enforcement Division within the Office of Civil Enforcement.
- Strengthen program integrity through enhanced chemical data collection, reporting and coordination between headquarters and regions. In particular, increase coordination on targeting between OPPT, OECA and the participating regions to focus on the chemical manufacturing sector. Additionally, coordinate when setting program priorities and communicating best practices.
- Enter all federal inspection and enforcement cases into the national database ICIS in a timely and accurate manner.

**Measures:** See ACS measures TSCA 010C and TSCA 020C in Appendix 2 on pages 7-8.

### C. TSCA PCB Program

**Description:** The TSCA PCB enforcement program is a federal only program. However, nine states through cooperative agreements inspect on behalf of the EPA. TSCA and EPA's implementing regulations aim to minimize risks posed by the use, storage, handling, and disposal of PCBs and PCB-containing items. The EPA's enforcement program will focus its PCB enforcement resources on nationally-significant situations involving the greatest threats to health in each region. The EPA will pursue nationally-significant PCB civil and criminal violations that may present a significant risk of injury to health or the environment and maintain some field presence at EPA-approved commercial PCB storage and disposal facilities. For FY 2016-2017, 90 percent of the region's TSCA resources should focus on the lead compliance assurance program<sup>11</sup>. However, up to 20 percent of these same resources may be shifted by the region to other TSCA compliance assurance activities consistent with this NPM Guidance. The intent here is to provide flexibility for regional TSCA initiatives and to take into account unique regional situations. Where regions choose to exercise this flexibility they should provide a rationale and articulate how this flexibility is consistent (or why inconsistent) with the Compliance Monitoring Strategy (CMS) for the Toxic Substances Control Act. OECA will continue to evaluate enforcement options for PCBs in building materials used in schools and will update existing guidance or provide new guidance at a later date.

#### Activities:

EPA regions opting to engage in compliance monitoring and assurance activities for the TSCA PCB program should:

- Address nationally-significant PCB civil and criminal violations that may present a significant risk to human health or the environment, consistent with national policy.
- Dependent on regional resources devoted to this program, focus inspections, case development and enforcement on the following areas of potential significant risk:

<sup>11</sup> Please see the description section for the TSCA Chemical Risk Reduction Programs on page 34.

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** "Block, Molly" <block.molly@epa.gov>  
**Date:** March 6, 2018 at 1:36:33 PM EST  
**To:** "Lynn, Tricia" <lynn.tricia@epa.gov>, Press <Press@epa.gov>  
**Subject:** RE: FOR REVIEW: Chemical Watch (Geraint Roberts) RE: TSCA Enforcement. (3/6)

Edited below

---

**From:** Lynn, Tricia  
**Sent:** Tuesday, March 6, 2018 1:25 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Chemical Watch (Geraint Roberts) RE: TSCA Enforcement. (3/6)

**Background:**

Reporter is interested in what responsibilities OECA has in relation to TSCA, and how these responsibilities are implemented. Geraint Roberts ([geraint.roberts@chemicalwatch.com](mailto:geraint.roberts@chemicalwatch.com)) with Chemical Watch.

**Suggested Response:**

EPA's Offices of Civil Enforcement and Compliance oversee compliance and enforcement activities associated with the TSCA New and Existing Chemical program (also known as Core TSCA), as amended by the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act.

EPA's Compliance Monitoring Strategy for TSCA covers EPA's compliance monitoring activities and is available online at: <https://www.epa.gov/compliance/compliance-monitoring-strategy-toxic-substances-control-act-tsca>

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/16/2018 1:17:13 PM  
**To:** Pearson, Sam [spearson@bloombergenvironment.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: RMP oral arguments preview

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

Direct 703.341.3881  
Cell: Ex. 6 Personal Privacy (PP)  
spearson@bloombergenvironment.com

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/16/2018 11:39:01 AM  
**To:** Elliott Blackburn [elliott.blackburn@argusmedia.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Philadelphia Energy Solutions

Good morning Elliott,

For attribution, if needed, to an EPA spokesperson:

We'll be referring you to Wyn Hornbuckle, at the U.S. Department of Justice, for comment: [wyn.hornbuckle@usdoj.gov](mailto:wyn.hornbuckle@usdoj.gov)

Cheers, R.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Mar 14, 2018, at 10:20 AM, Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)> wrote:

Good morning,

- <!--[if !supportLists]--><!--[endif]-->Does EPA consider RINs and the Philadelphia Energy Solutions costs of obligation to be a primary cause of the refinery's bankruptcy?
- <!--[if !supportLists]--><!--[endif]-->Has EPA determined what will happen to the remainder of that refiner's obligation (the portion not covered by the retirements detailed in the consent decree)?

Thanks for your help,

Elliott

**Elliott Blackburn**  
*Downstream Reporter*

[www.argusmedia.com](http://www.argusmedia.com)  
Direct: +1 713 429 6350  
Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
Signal: Ex. 6 Personal Privacy (PP)



[www.argusmedia.com](http://www.argusmedia.com)

Tel: +1 713 968 0000 | Fax: +1 713 622 2991 |

illuminating the markets

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<image006.png>

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Argus Media Limited has moved offices. Please note our new address below.

Argus Media Limited, Lacon House, 84 Theobald's Road, London WC1X 8NL Registered in England and Wales, Company Registration No: 1642534 VAT Registration No: GB 229 7149 41

Message

---

**From:** Tammy Lovell [tammy.lovell@chemicalwatch.com]  
**Sent:** 2/23/2018 1:21:44 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: News enquiry - TSCA inventory reporting deadline

Thanks!

**Tammy Lovell**

Business Reporter  
CW Research Ltd

Ex. 6 Personal Privacy (PP) [direct]  
+44 1743 818101 (head office)  
+44 1743 818121 (fax)  
[www.chemicalwatch.com](http://www.chemicalwatch.com)



10 years of informing businesses  
globally on product safety

On 23 February 2018 at 13:18, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Tammy,

**On background:**

**1. I spoke to a couple of industry associations and they said that they experienced difficulties submitting to the CDX because of system errors that caused crashes.**

**Response:** EPA received a number of inquiries from submitters indicating that they were experiencing system problems. EPA did not experience or document a system crash but did advise submitters that browser-related time-outs might be an issue. EPA was also able to provide a few enhancements to the application during the submission period to make it easier to report.



2. They also said that formal guidance promised by the EPA wasn't provided and that the transcripts of webinars were only published a week before the deadline.

**Response:** Guidance documents for using the electronic reporting application were available to users during the whole reporting period. Additionally, EPA held three webinars during the six month reporting period. Transcripts and slides for those who could not attend those three webinars were posted on the website.

3. Concerns were also raised about how quickly the EPA will be able to produce a draft inventory for the remaining processor period and that if the window between the release of the draft inventory and the close of the processor period is too narrow, there are chances that chemical substances may inaccurately be labelled as inactive.

**Response:** EPA expects to have the draft TSCA Inventory available no later than April. Doing so will provide processors approximately six months to voluntarily report substances not yet designated as "active" on the draft TSCA Inventory.

4. Also a suggestion was made that the EPA offer support to processors including hosting webinars and posting questions and answers and other processor-specific guidance as soon as possible after the draft inventory is published and offer separate, specific training on the CDX platform to processors.

**Response:** EPA plans to hold processor specific webinars after the draft TSCA Inventory is published.

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** February 22, 2018 at 8:38:51 AM EST  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** FW: News enquiry - TSCA inventory reporting deadline

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**From:** Tammy Lovell [<mailto:tammy.lovell@chemicalwatch.com>]  
**Sent:** Thursday, February 22, 2018 8:35 AM  
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Tammy

**Tammy Lovell**

Business Reporter

CW Research Ltd

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Regards, R.

Robert Daguillard

Office of Media Relations



U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

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I'm writing a story for the Chemical Watch website about the US EPA requiring manufacturers to report on their chemical use for the substance inventory reset required under TSCA amendments.

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What happened to companies if they don't report by the deadline? Is there any kind of enforcement action?

My deadline for this story is Tuesday, so it would be great if you get an answer to me by Monday if possible. Let me know if this is possible.

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**Sent:** 2/23/2018 1:18:47 PM  
**To:** tammy.lovell@chemicalwatch.com  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: News enquiry - TSCA inventory reporting deadline

Tammy,

**On background:**

**1. I spoke to a couple of industry associations and they said that they experienced difficulties submitting to the CDX because of system errors that caused crashes.**

**Response:** EPA received a number of inquiries from submitters indicating that they were experiencing system problems. EPA did not experience or document a system crash but did advise submitters that browser-related time-outs might be an issue. EPA was also able to provide a few enhancements to the application during the submission period to make it easier to report.

**2. They also said that formal guidance promised by the EPA wasn't provided and that the transcripts of webinars were only published a week before the deadline.**

**Response:** Guidance documents for using the electronic reporting application were available to users during the whole reporting period. Additionally, EPA held three webinars during the six month reporting period. Transcripts and slides for those who could not attend those three webinars were posted on the website.

**3. Concerns were also raised about how quickly the EPA will be able to produce a draft inventory for the remaining processor period and that if the window between the release of the draft inventory and the close of the processor period is too narrow, there are chances that chemical substances may inaccurately be labelled as inactive.**

**Response:** EPA expects to have the draft TSCA Inventory available no later than April. Doing so will provide processors approximately six months to voluntarily report substances not yet designated as "active" on the draft TSCA Inventory.

**4. Also a suggestion was made that the EPA offer support to processors including hosting webinars and posting questions and answers and other processor-specific guidance as soon as possible after the draft inventory is published and offer separate, specific training on the CDX platform to processors.**

**Response:** EPA plans to hold processor specific webinars after the draft TSCA Inventory is published.

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Office of Media Relations

U.S. Environmental Protection Agency

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**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 2/22/2018 11:23:45 PM  
**To:** Press [Press@epa.gov]  
**Subject:** For Review: Chemical Watch (Tammy Lovell) re criticisms of CDX (Deadline: Now)

**Background:** Chemical Watch reporter is asking us to address criticisms of the CDX by industry. Response input from OCSPP. Tammy Lovell, [tammy.lovell@chemicalwatch.com](mailto:tammy.lovell@chemicalwatch.com)

**Suggested Response:**

1. I spoke to a couple of industry associations and they said that they experienced difficulties submitting to the CDX because of system errors that caused crashes.

Response: **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

2. They also said that formal guidance promised by the EPA wasn't provided and that the transcripts of webinars were only published a week before the deadline.

Response: **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

3. Concerns were also raised about how quickly the EPA will be able to produce a draft inventory for the remaining processor period and that if the window between the release of the draft inventory and the close of the processor period is too narrow, there are chances that chemical substances may inaccurately be labelled as inactive.

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## Ex. 5 Deliberative Process (DP)

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? **How many companies have reported on their chemical use?**

EPA's estimate at this time is that about 500 companies filed Notices of Activity.

? **How many do you estimate did not report on time? Was the response what you were anticipating?**

Because processor reporting continues through October 5, it is difficult at this time for the Agency to determine if notices that it continues to receive are from processors or are from manufacturers filing after the February 7 deadline.

Similar to the compiling of the original TSCA Inventory, EPA did expect to receive tens of thousands of notices with many filed close to the deadline.

? **What happened to companies if they don't report by the deadline? Is there any kind of enforcement action?**

EPA's primary objective is accurate and complete reporting. Therefore, the Agency urges manufacturers that missed the February 7 deadline to file as soon as they are able - even though the deadline has passed and any submission filed now is late - so that the Agency can accurately designate substances as "active" or "inactive" on the TSCA Inventory at the close of the full retrospective submission period on October 5. The CDX system will allow for late submissions.

Failure to submit a required notice by the deadline is a violation of TSCA section 8(b). Anyone who fails to file by the statutory deadline of February 7, 2018 should consider using the EPA's Self-Disclosure policy to self-report potential violations (see: <https://www.epa.gov/compliance/epas-edisclosure>)

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, February 13, 2018 7:52 AM  
**To:** 'Tammy Lovell' <[tammy.lovell@chemicalwatch.com](mailto:tammy.lovell@chemicalwatch.com)>  
**Subject:** RE: News enquiry - TSCA inventory reporting deadline

Yes. I'll try getting you a response by mid-morning (our time; mid-afternoon yours) if OK?

**From:** Tammy Lovell [<mailto:tammy.lovell@chemicalwatch.com>]  
**Sent:** Tuesday, February 13, 2018 5:40 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: News enquiry - TSCA inventory reporting deadline

Hi Robert

Are you able to provide any response to this enquiry? My deadline for this story is today.

Thanks,

Tammy

**Tammy Lovell**

Business Reporter

CW Research Ltd

Ex. 6 Personal Privacy (PP) (direct)

+44 1743 818101 (head office)

+44 1743 818121 (fax)

[www.chemicalwatch.com](http://www.chemicalwatch.com)



10 years of informing businesses globally on product safety

On 8 February 2018 at 14:09, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning (afternoon to you) Tammy,

Thanks for reaching out. Let me see what I can find out for you.

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Tammy Lovell [mailto:[tammy.lovell@chemicalwatch.com](mailto:tammy.lovell@chemicalwatch.com)]

**Sent:** Thursday, February 08, 2018 8:59 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** News enquiry - TSCA inventory reporting deadline

Dear Robert,

I'm writing a story for the Chemical Watch website about the US EPA requiring manufacturers to report on their chemical use for the substance inventory reset required under TSCA amendments.

I believe the deadline for this was February 7th. I was wondering if most manufacturers had managed to meet this deadline? How many companies have reported on their chemical use? How many do you estimate did not report on time? Was the response what you were anticipating?

What happened to companies if they don't report by the deadline? Is there any kind of enforcement action?

My deadline for this story is Tuesday, so it would be great if you get an answer to me by Monday if possible. Let me know if this is possible.

Kind Regards,

Tammy

**Tammy Lovell**

Business Reporter

CW Research Ltd

Ex. 6 Personal Privacy (PP) direct)

+44 1743 818101 (head office)

+44 1743 818121 (fax)

[www.chemicalwatch.com](http://www.chemicalwatch.com)



10 years of informing businesses  
globally on product safety

Message

---

**From:** Kevin Druley [Kevin.Druley@nsc.org]  
**Sent:** 3/15/2018 6:56:31 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thanks very much, Robert. Will let you know if there's anything further, but much appreciated.

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Thursday, March 15, 2018 1:23 PM  
**To:** Kevin Druley <Kevin.Druley@nsc.org>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Kevin, for attribution to "an EPA spokesperson," please:

That's not inaccurate, but we recommend using this language instead to make it clear that for statements for Toxicity Category II and III can be placed on any panel of the label whether this be front, back, side, or inside:

**"Toxicity category I first aid statements must be visible on the front panel except in cases where a variation has been approved. Toxicity Category II and III products first aid statements can be placed on any panel of the label whether this be front, back, side, or inside. Toxicity category II and III first aid statements do not need to be immediately visible on the label."**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Kevin Druley [mailto:Kevin.Druley@nsc.org]  
**Sent:** Thursday, March 15, 2018 9:21 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thanks for the update. Be in touch.

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Thursday, March 15, 2018 8:11 AM  
**To:** Kevin Druley <Kevin.Druley@nsc.org>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Good morning Kevin.

Still waiting for a response.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Kevin Druley [mailto:Kevin.Druley@nsc.org]  
**Sent:** Thursday, March 15, 2018 8:43 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Good morning, Robert. Just wanted to check in about any update you may have. Thanks for your help.

---

**From:** Kevin Druley  
**Sent:** Wednesday, March 14, 2018 11:24 AM  
**To:** 'Daguillard, Robert' <Daguillard.Robert@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thank you kindly. I appreciate it. Be in touch.

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Wednesday, March 14, 2018 11:15 AM  
**To:** Kevin Druley <Kevin.Druley@nsc.org>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thanks, Kevin. I've forwarded your question to the program. I hope to get back to you by the end of the day. I'll circle back if my ETA changes.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Kevin Druley [mailto:Kevin.Druley@nsc.org]  
**Sent:** Wednesday, March 14, 2018 12:12 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Hey, Robert. Just wanted to check in and see if there might be any update. Thanks for your time, assistance and feedback.

Kevin



---

**From:** Kevin Druley  
**Sent:** Tuesday, March 13, 2018 4:05 PM  
**To:** 'Daguillard, Robert' <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Robert,

You're welcome. My copy editor and I conferred and came up with the following. Is it accurate with what EPA is communicating?

EPA will continue to require that first aid statements appear on the front panel of Toxicity Category I products unless an exception has been approved. For Toxicity Category II and III products, a clarification of previous interpretation allows for publication of first aid statements on the inside panel in addition to those on the front, back or side, the guidance states.

The item would initially be for online publication.

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Tuesday, March 13, 2018 3:38 PM  
**To:** Kevin Druley <[Kevin.Druley@nsc.org](mailto:Kevin.Druley@nsc.org)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thanks in advance, Kevin. The more you can push it back, the more room we'll have to send you a response.

Is this for online publication? If so, can you update your story when you get our answer?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Kevin Druley [<mailto:Kevin.Druley@nsc.org>]  
**Sent:** Tuesday, March 13, 2018 4:30 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thank you for the response and assistance. The deadline is approaching tomorrow morning; we were hoping to publish around 9 a.m. CT.

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Tuesday, March 13, 2018 3:16 PM  
**To:** Kevin Druley <[Kevin.Druley@nsc.org](mailto:Kevin.Druley@nsc.org)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Mr. Druley, thanks or reaching out. Are you on deadline? When are you hoping to publish your piece?

Cheers, R.

Robert Daguiillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Kevin Druley [mailto:Kevin.Druley@nsc.org]  
**Sent:** Tuesday, March 13, 2018 3:54 PM  
**To:** Daguiillard, Robert <Daguiillard.Robert@epa.gov>  
**Subject:** Clarification on first aid/pesticide label press release

Mr. Daguiillard,

Hello. My name is Kevin Druley, and I'm an associate editor in the publications department of the National Safety Council in Itasca, Ill. We're working on a brief for our news alert section on this release: <https://www.epa.gov/pesticides/guidance-placement-first-aid-statements-pesticide-labels>, and I had a quick clarification matter to ask about.

The release states the following about Toxicity Categories II and III products:

The agency will continue to require that Toxicity Category I products have first aid statements visible on the front panel except in cases where a variation has been approved. Toxicity Categories II and III products must have these statements on a front, back, side or inside panel (any panel). These statements are optional for Toxicity Category IV products.

However, the guidance document says this:

Based on the comments received and the wide reliance by the regulated community on the interpretation that "any panel" includes inside panels, the Agency will not require Toxicity Category II and III products to bear the first aid statements on a visible front, back or side panel (as the Agency memorandum posted to the docket on December 7, 2016, had proposed).

Again, just wanted to ask for a clarification. Any feedback is appreciated when you're able.

Thank you and be in touch,

Kevin

Kevin Druley  
Associate Editor – Publications  
National Safety Council  
1121 Spring Lake Drive  
Itasca, IL 60143  
630.775.2083  
[Kevin.Druley@nsc.org](mailto:Kevin.Druley@nsc.org)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/15/2018 3:15:21 PM  
**To:** Press [Press@epa.gov]  
**Subject:** FW: U.S. export law

Follow-up from the reporter in program.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

**From:** Bobby Elliott [mailto:bobby@resource-recycling.com]  
**Sent:** Thursday, March 15, 2018 9:32 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** Re: U.S. export law

Hey Robert,

I just wanted to reach back out and update you on where things stand as far as our reporting.

The background information you sent over is immensely helpful and has certainly clarified things for me as I delved into the topic of exports.

I have a few background questions below as well as one request for an official EPA comment. It's my hope that the agency will consider answering that one question on the record, as it seems to be a central issue that continue to come up and will be part of our coverage:

Background Questions:

- 1.) What specific hazardous waste exclusions and/or exemptions potentially related to e-scrap under RCRA should I be aware of? (As of right now, I have identified four: CRTs, metals, circuit boards and batteries.)
- 2.) You noted that "many types of e-scrap are not regulated" as a hazardous waste under RCRA. Could you give me 2 or 3 examples of an e-scrap shipment that would be commonly regulated as a hazardous waste?
- 3.) In terms of navigating questions of responsibility for determining RCRA-related waste classifications, how is "exporter" defined? Is it the recycler that originally handles the waste?
- 4.) As I understand it, the OECD Control System applies additional controls for "green" and "amber" wastes and these controls were incorporated into RCRA in 2016. Is this accurate?

Official Comment:

5.) Various sources have suggested that RCRA is limited in scope when it comes to e-scrap exports and often regards e-scrap as non-hazardous and therefore relatively easy to export. What is the U.S. EPA's response to this industry criticism?

Thanks again for all your time on this - I really do appreciate it!

Bobby

On Wed, Mar 7, 2018 at 4:48 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

That's super helpful. Thanks, Bobby.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

**Ex. 6 Personal Privacy (PP)** (M)

**From:** Bobby Elliott [<mailto:bobby@resource-recycling.com>]

**Sent:** Wednesday, March 07, 2018 4:48 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: U.S. export law

Thanks very much for this. I'd love to hear back by the end of the day tomorrow and all of it can be on background. Our story won't be published until mid-week next week -

All my best,

Bobby

On Wed, Mar 7, 2018 at 4:44 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Bobby,

With Tricia out today, I'm happy start work on your inquiry. What's your deadline and when are you hoping to publish your piece?

Thanks in advance, R.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Bobby Elliott [<mailto:bobby@resource-recycling.com>]

**Sent:** Wednesday, March 07, 2018 4:38 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Subject:** Fwd: U.S. export law

----- Forwarded message -----

From: **Bobby Elliott** <[bobby@resource-recycling.com](mailto:bobby@resource-recycling.com)>

Date: Wed, Mar 7, 2018 at 4:36 PM

Subject: U.S. export law

To: "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

Hey Tricia,

I am working on a multi-part story on U.S. exports of e-scrap and I wanted to reach out to you on background just to make sure I'm looking into every possible avenue for our coverage.

The first story we're working on is an effort to understand current U.S. law when it comes to exporting e-scrap. My questions below are pretty straightforward and just aimed at clarity above all - let me know if you can get back to me by end of day tomorrow. This is not for attribution, only for background.

- 1.) Is RCRA the lone U.S. law that currently governs the export of e-scrap?
- 2.) As I understand it, RCRA exempts e-scrap from being classified as a hazardous waste as long as the waste is being sent for domestic or international recycling. Is this accurate?
- 3.) Is the CRT rule the only device-specific regulation concerning the downstream movement of end-of-life electronics?
- 4.) It's my understanding that firms specifically exporting CRT material must provide U.S. EPA with written approval from an importing country before shipping the material overseas. Are companies required to do this for any other devices bound for export?

Thanks as always for your help on this, Tricia -

Bobby

Bobby Elliott

Editor at Large

Resource Recycling

917-885-4592

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Bobby Elliott

Editor at Large

Resource Recycling

917-885-4592

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Bobby Elliott

Editor at Large

Resource Recycling

917-885-4592

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Bobby Elliott  
Editor at Large  
Resource Recycling  
917-885-4592



Message

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**From:** Rizzuto, Denise Pat [prizzuto@bloombergenvironment.com]  
**Sent:** 3/14/2018 7:34:02 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: One more question regarding SACC: hoping to hear from you

I thought it did, but I like to doublecheck my presumptions. Thank you,

.....

**Pat Rizzuto**  
Chemicals Reporter

**Bloomberg Environment**

(703) 341-3741  
[prizzuto@bna.com](mailto:prizzuto@bna.com)

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Wednesday, March 14, 2018 3:33 PM  
**To:** Rizzuto, Denise Pat <prizzuto@bloombergenvironment.com>; Press <Press@epa.gov>  
**Subject:** RE: One more question regarding SACC: hoping to hear from you

Pat, for attribution to "an EPA spokesperson," please:

Yes, the directive applies to all federal advisory committees. We'll direct you to the Administrator's memo and directive that clearly state as much.

[https://www.epa.gov/sites/production/files/2017-10/documents/final\\_draft\\_fac\\_memo-10.30.2017.pdf](https://www.epa.gov/sites/production/files/2017-10/documents/final_draft_fac_memo-10.30.2017.pdf)

[https://www.epa.gov/sites/production/files/2017-10/documents/final\\_draft\\_fac\\_directive-10.31.2017.pdf](https://www.epa.gov/sites/production/files/2017-10/documents/final_draft_fac_directive-10.31.2017.pdf)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Rizzuto, Denise Pat [mailto:prizzuto@bloombergenvironment.com]  
**Sent:** Wednesday, March 14, 2018 3:01 PM  
**To:** Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: One more question regarding SACC: hoping to hear from you

---

**From:** Rizzuto, Denise Pat  
**Sent:** Wednesday, March 14, 2018 11:02 AM  
**To:** 'press@epa.gov' <press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** One more question regarding SACC

Thank you for getting back to me yesterday regarding status of SACC. Could you clarify one question I realized I have as I pull the story together. Deadline today asap, but no later than 3 p.m. Hoping that's easy, because I think the answer is yes. Does Administrator Pruitt's October policy about science advisory boards apply to this new committee, the Scientific Advisory Committee on Chemicals: <https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-ensure-independence-geographic-diversity>

\*\*\*\*\*

**Pat Rizzuto**  
Chemicals Reporter

**Bloomberg Environment**

(703) 341-3741  
[prizzuto@bna.com](mailto:prizzuto@bna.com)

Message

---

**From:** Thompson, Anne (NBCUniversal) [Anne.Thompson@nbcuni.com]  
**Sent:** 3/14/2018 6:02:49 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: [EXTERNAL] FW: Pesticides inquiry

Thank you.

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Wednesday, March 14, 2018 2:01 PM  
**To:** Thompson, Anne (NBCUniversal)  
**Cc:** Press  
**Subject:** RE: [EXTERNAL] FW: Pesticides inquiry

This should help.

<https://www.epa.gov/pria-fees/about-pesticide-registration-fees-under-pria>

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Thompson, Anne (NBCUniversal) [mailto:Anne.Thompson@nbcuni.com]  
**Sent:** Wednesday, March 14, 2018 1:57 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: [EXTERNAL] FW: Pesticides inquiry

Robert,  
What does PRIA stand for please?  
Thanks,  
Anne

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Wednesday, March 14, 2018 8:18 AM  
**To:** Thompson, Anne (NBCUniversal)  
**Cc:** Press  
**Subject:** RE: [EXTERNAL] FW: Pesticides inquiry

Anne, for attribution to "an EPA spokesperson," please:

As required by the law, EPA published notices of receipt of Syngenta's applications to expand several uses and add a sugarcane application; it is currently open for public comment in docket# [EPA-HQ-OPP-2017-0234](#). The comment period ends on April 5, and the application is currently on track for a decision by the PRIA due date in June.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Thompson, Anne (NBCUniversal) [<mailto:Anne.Thompson@nbcuni.com>]  
**Sent:** Tuesday, March 13, 2018 3:46 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: [EXTERNAL] FW: Pesticides inquiry

I do, Robert. Thank you.

Sent from my iPhone

On Mar 13, 2018, at 3:45 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Anne,

Do you still need this information?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

Thanks in advance, R.

---

**From:** Thompson, Anne (NBCUniversal) [<mailto:Anne.Thompson@nbcuni.com>]  
**Sent:** Friday, March 9, 2018 11:13 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Pesticides inquiry

Hi,  
I sent the following email to Robert Daguillard earlier today. He is out of the office.

---

Hi Robert,  
Where in the process is Syngenta's application to expand the use of thiamethoxam on wheat, corn, etc? What is the timeline for a decision?  
Thank you,  
Anne Thompson

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/14/2018 5:51:06 PM  
**To:** Muller, David [dmuller@hearstautos.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Media query: Stop-start engines and EPA ratings

David, on background, please:

A: For fuel economy label testing purposes, cars or light trucks that have non-latching start/stop systems are tested in the laboratory with the system engaged. So during the drive cycles start/stop engages when the car is at a stop in the drive cycle. The fuel economy results are calculated from the results of the laboratory emissions testing program. There is no 4-5% improvement factor applied, the emissions benefits are directly measured from the car's performance on the test.

For cars or trucks with latching start/stop systems, vehicles are tested in the laboratory first with the start/stop system engaged and then again with the system disengaged. The average of the resulting fuel economy values is what is reflected on car's FE sticker label.

For purposes of manufacturer compliance with CAFÉ and the GHG emissions standards, additional "off-cycle" emissions credits for compliance are available for non-latching start/stop systems but are not available for latching systems.

Definition of "off cycle credits" that can be found on [page 41](#).

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Muller, David [mailto:dmuller@hearstautos.com]  
**Sent:** Wednesday, March 14, 2018 10:54 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Media query: Stop-start engines and EPA ratings

Ok, thanks. Also, what are GHG off-cycle credits?

Best,  
David

**David Muller**  
Consumer Editor | Car and Driver  
1585 Eisenhower Place | Ann Arbor, MI 48108  
**O 734.352.8062** | F 734.352.4300  
[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com) | [www.CARandDRIVER.com](http://www.CARandDRIVER.com)

Please consider the environment before printing this e-mail.

---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Wednesday, March 14, 2018 at 8:47 AM  
**To:** "Muller, David" <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)>  
**Subject:** RE: Media query: Stop-start engines and EPA ratings

David, I apologize profusely, but hold for just a minute, please. I may have sent you our response before our program fully vetted it. I'll circle back soonest.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Daguillard, Robert  
**Sent:** Wednesday, March 14, 2018 8:45 AM  
**To:** 'Muller, David' <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Media query: Stop-start engines and EPA ratings

David, for attribution, if required, to "an EPA spokesperson," please:

You are correct: Latching start/stop systems are not eligible for GHG off-cycle credits.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Muller, David [<mailto:dmuller@hearstautos.com>]  
**Sent:** Tuesday, March 13, 2018 2:02 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Media query: Stop-start engines and EPA ratings

Hi Robert,

Just checking in to see where we're at with this and if there's anything else you need from me.

Thanks,  
David

---

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** Monday, March 12, 2018 at 5:30 PM  
**To:** "Muller, David" <dmuller@hearstautos.com>  
**Subject:** Re: Media query: Stop-start engines and EPA ratings

That's super helpful. Thanks.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Mar 12, 2018, at 5:30 PM, Muller, David <dmuller@hearstautos.com> wrote:

I'd like to at the very least confirm that the EPA requires automakers' stop-start systems to be non-latching if they're deactivated, in exchange for more favorable fuel economy ratings. For background, there is a portion of the [EPA site](#) that says:

- **Start-Stop Systems:** Start-stop systems (sometimes called idle-stop, smart start, or other manufacturer-specific names) save fuel by turning off the engine when the vehicle comes to a stop and automatically starting it back up when you step on the accelerator. Start-stop can improve fuel economy by 4%–5% and provides the biggest benefit in conditions where the engine would otherwise be idling, such as stop-and-go city driving.

Does the EPA wave this 4-5% improvement in its fuel economy ratings if there is a latching deactivation switch for the stop-start? That's what I've been led to believe - that if automakers want to be able to have a deactivation switch for stop-start engines in their cars, it must be non-latching, otherwise the EPA will not consider the fuel economy benefit of a stop-start system in its ratings.

Happy to answer any questions if I'm not making sense.

Thanks again,  
David

---

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** Monday, March 12, 2018 at 5:14 PM  
**To:** "Muller, David" <dmuller@hearstautos.com>  
**Subject:** Re: Media query: Stop-start engines and EPA ratings

Mid-morning? But I have to tell you, I'm likely to refer your questions to the program office, as I'm not a subject matter expert. The more you can tell me on an email, the more easily I can route your inquiry.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)

202-564-6618 (O)

On Mar 12, 2018, at 4:43 PM, Muller, David <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)> wrote:

Hi Robert

I don't necessarily have specific questions yet; I'm just trying to make sure I understand the agreement the EPA apparently has with automakers as it relates to non-latching start-stop deactivation. I'm not in a huge rush and can give you a call tomorrow morning. Is there a good time for you?

Thanks,  
David

**David Muller**

Consumer Editor | Car and Driver

1585 Eisenhower Place | Ann Arbor, MI 48108

**O 734.352.8062** | F 734.352.4300

[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com) | [www.CARandDRIVER.com](http://www.CARandDRIVER.com)

<image001.png>

Please consider the environment before printing this e-mail.

---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Date:** Monday, March 12, 2018 at 4:35 PM

**To:** "Muller, David" <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)>

**Subject:** Re: Media query: Stop-start engines and EPA ratings

Hullo David,

I'm out of the office at the moment. Can we talk first thing tomorrow AM?  
Better yet, do you have specific questions you can send?

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Mar 12, 2018, at 4:32 PM, Muller, David <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)> wrote:

Hi Robert,

I'm working on a story about stop-start engines for Car and Driver. Specifically, I'm telling readers why some automakers have a non-latching switch that deactivates stop-start technology. I understand that by making the switch non-latching - meaning that stop-start is reengaged each time the car cycles back on - it allows the automakers to claim a boost in EPA fuel economy ratings. Could you please get in touch with me about this when you have a moment?



Thanks and best,  
David

**David Muller**

Consumer Editor | Car and Driver

1585 Eisenhower Place | Ann Arbor, MI 48108

**O 734.352.8062** | F 734.352.4300

[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com) | [www.CARandDRIVER.com](http://www.CARandDRIVER.com)

<image002.png>

Please consider the environment before printing this e-mail.

Message

---

**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 2/14/2018 7:38:03 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Subject:** Re: Reporting on repurposing former Superfund sites

K.

On Feb 14, 2018, at 2:37 PM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Yes hold a second

---

**From:** Jones, Enesta  
**Sent:** Wednesday, February 14, 2018 2:35 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Fwd: Reporting on repurposing former Superfund sites

Reporter said she is about to file. Do we have a final response to share?

**From:** "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Date:** February 9, 2018 at 9:11:42 AM EST  
**To:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>, "Block, Molly" <[block.molly@epa.gov](mailto:block.molly@epa.gov)>, Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Reporting on repurposing former Superfund sites

Molly--

Here's OLEM's response to question 1. As I understand it, you're intending to take question 2.

**1. Is it correct that Pruitt has increased the budget for remediation of at least some of these 31 sites beyond what was previously allocated? Where will funds come from for these projects?**

## Ex. 5 Deliberative Process (DP)

Thanks!

--Tricia

---

**From:** Jones, Enesta  
**Sent:** Wednesday, February 7, 2018 3:40:53 PM  
**To:** Block, Molly  
**Cc:** Lynn, Tricia  
**Subject:** Re: Reporting on repurposing former Superfund sites

Tricia got it!

On Feb 7, 2018, at 3:39 PM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Can we double check on question 1...

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

I can answer the second question. Thanks!

---

**From:** Jones, Enesta  
**Sent:** Wednesday, February 7, 2018 3:38 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Fwd: Reporting on repurposing former Superfund sites

**Hey Molly, will you handle directly, or do you need some OMR assistance here?**

**From:** Lynne Peeples <**Ex. 6 Personal Privacy (PP)**>  
**Date:** February 7, 2018 at 2:44:28 PM EST  
**To:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** **Re: Reporting on repurposing former Superfund sites**

Hello again, Enesta and Tricia. A follow-up on this Superfund story: I understand that Scott Pruitt announced 31 Superfund sites he wants prioritized for redevelopment -- part of a push to accelerate cleanups and make land available for community use. Related questions below. Possible to get answers by EOD on Friday?

1. Correct that Pruitt has increased the budget for remediation of at least some of these 31 sites beyond what was previously allocated? Where will funds come from for these projects?
2. Correct that President Donald Trump's proposed 2018 budget still seeks to cut the program by 30 percent? If passed, will this cut impact Pruitt's plans?

Thanks again,

Lynne

On Fri, Feb 2, 2018 at 12:05 PM, Lynne Peeples <**Ex. 6 Personal Privacy (PP)**> wrote:

Great. Thanks again, Enesta.

On Fri, Feb 2, 2018 at 12:02 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Lynne,

"EPA places a high priority on land revitalization as an integral part of its Superfund cleanup mission. This land would otherwise be unused. Instead, Superfund cleanups have allowed hundreds of communities to reclaim formerly contaminated Superfund sites for protective and productive uses. Communities have successfully reused Superfund

sites for many industrial, commercial, ecological and recreational purposes. Many Superfund sites have been redeveloped in innovative ways, including alternative energy and mixed-use developments that bring together jobs and amenities. EPA has not noticed that any one type of reuse has proven problematic.” – **Enesta Jones, EPA spokesperson**

**From:** Lynne Peeples [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]

**Sent:** Friday, February 02, 2018 2:49 PM

**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Cc:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Reporting on repurposing former Superfund sites

Yes, that would be the chunk that I'd pull a quote from. Thank you. Possible to also attribute the point that EPA has not noticed any one type of reuse has proven problematic?

On Fri, Feb 2, 2018 at 11:27 AM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Lynne, here's what I suggest for attributable language. I can move these forward for approval. OK?

EPA places a high priority on land revitalization as an integral part of its Superfund cleanup mission. This land would otherwise be unused. Instead, Superfund cleanups have allowed hundreds of communities to reclaim formerly contaminated Superfund sites for protective and productive uses. Communities have successfully reused Superfund sites for many industrial, commercial, ecological and recreational purposes. Many Superfund sites have been redeveloped in innovative ways, including alternative energy and mixed-use developments that bring together jobs and amenities.

**From:** Lynne Peeples [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]

**Sent:** Friday, February 02, 2018 2:13 PM

**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Cc:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Reporting on repurposing former Superfund sites

Thank you, Enesta. Yes, I do still need attribution. I'll be filing the story next week, but anytime before next Friday should still be fine. I'm not sure when Ensia will run the story, but probably within a week or two after that. I can let you know! Appreciate it, and have a great weekend.

Lynne

On Fri, Feb 2, 2018 at 3:12 AM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Lynne, Tricia is out today and tomorrow. Do you still need attribution? What's the latest you can wait? When is the story slated to run?

Thanks,  
Enesta

**From:** Lynne Peeples [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]

**Sent:** Wednesday, January 31, 2018 5:28 PM

**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** Re: Reporting on repurposing former Superfund sites

Hi Tricia. Just checking back in. Have a name I could attribute this to yet? Thank you!

Lynne

On Thu, Jan 25, 2018 at 2:47 PM, Lynne Peeples <Ex. 6 Personal Privacy (PP)> wrote:

That'd be great. Thanks again, Tricia!

On Thu, Jan 25, 2018 at 2:47 PM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Thanks for checking, Lynne. I'm not a spokesperson for EPA, so please don't use my name. I'll be back in the morning and do what I can to find you a name.

Thanks!

**From:** Lynne Peeples [mailto:Ex. 6 Personal Privacy (PP)]

**Sent:** Thursday, January 25, 2018 5:33 PM

**To:** Lynn, Tricia <lynn.tricia@epa.gov>

**Subject:** Re: Reporting on repurposing former Superfund sites

Very helpful. Thank you, Tricia. My editor would like us to be able to attribute to a person. Ok to use your name, as an EPA spokesperson?

Lynne

On Thu, Jan 25, 2018 at 12:15 PM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Lynne—

For attribution to "an EPA spokesperson:"

**1. I understand that, to date (12/21/17), 395 sites have now been remediated and removed from the Superfund list. Is this correct? Any ballpark for how many more sites might be remediated and removed from the list going forward -- in say, one year or 10 years?**

That is correct. As of Jan. 18, 395 sites have been deleted from the Superfund National Priorities List. We display the up-to-date number of NPL sites, including deleted sites, at <https://www.epa.gov/superfund/superfund-national-priorities-list-npl>.

The number of sites to be deleted in the coming years will be the number of sites where no further response is appropriate and EPA determines that criteria has been met to warrant a delisting decision.

**2. Why is reuse of the sites important? What kind of follow-up, if any, does the EPA do after a site is removed from the Superfund list? Does the agency -- or others -- monitor the reuse?**

EPA places a high priority on land revitalization as an integral part of its Superfund cleanup mission. This land would otherwise be unused. Instead, Superfund cleanups have allowed hundreds of communities to reclaim formerly contaminated Superfund sites for protective and productive uses.

This redevelopment brings major economic benefits. Information EPA has collected at 487 of the 888 sites in reuse indicate these sites supported approximately 6,600 businesses in 2017. These businesses' ongoing operations generate annual sales of \$43.6 billion and employ more than 156,000 people who earned a combined income of \$11.2 billion.

Regarding what EPA does after a site is deleted from the NPL, EPA conducts follow-up reviews — even after NPL deletion — every five years when hazardous substances remain on site above levels that permit unrestricted use and unlimited exposure.

**3. Of the repurposing uses so far, could you share examples of what has worked the best? Any particularly innovative approaches that future projects could consider?**

Communities have successfully reused Superfund sites for many industrial, commercial, ecological and recreational purposes. Many Superfund sites have been redeveloped in innovative ways, including alternative energy facilities (<https://www.epa.gov/superfund-redevelopment-initiative/alternative-energy-superfund-sites>) and mixed-use developments that bring together jobs and amenities.

The Superfund Redevelopment Initiative (SRI) provides success stories resulting from fruitful partnerships. These can be accessed on the SRI website: <https://www.epa.gov/superfund-redevelopment-initiative/depth-case-studies-superfund-reuse>. There are 30 in-depth case studies available. Two projects are highlighted below to give a sense of the redevelopment stories unfolding nationwide:

- The Sullivan’s Ledge Solar Project is one of numerous renewable energy facilities located on current and former contaminated lands. Built on an old landfill affected by soil and groundwater contamination, the facility generates pollution-free energy and has restored a vacant area to beneficial use. The 1.75-megawatt facility includes over 5,000 block-mounted fixed-tilt solar panels. Project financier SunEdison, Inc., leases the site from the city and then sells the solar net metering credits back to the city at a reduced rate under a 20-year power purchase agreement.
- In the early 1980s, decades of disinvestment had left the Tacoma, Washington, waterfront abandoned and blighted. Industrial activities contaminated soil, groundwater and sediments across more than 10 square miles of Commencement Bay and Tacoma. The City of Tacoma, the Washington State Department of Ecology, EPA and other stakeholders collaborated to engage the public, clean up the area, address liability issues, establish public-private partnerships, secure funding, and revitalize the waterway. Today, the cleanup of the Thea Foss Waterway is complete. A public esplanade extends along the shore, punctuated by public parks, apartment buildings, restaurants and diverse businesses. The Museum of Glass is home to a contemporary collection of artists from around the world, with the Chihuly Bridge of Glass connecting the museum to downtown Tacoma. New, state-of-the-art marinas and water-based businesses have established the Thea Foss Waterway as a major boating destination in the Puget Sound region.

**4. What uses so far have proved problematic? Any lessons we can take away to inform future repurposing projects?**

EPA has not noticed that any one type of reuse has proven problematic.

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

**From:** [REDACTED] **Ex. 6 Personal Privacy (PP)** **On Behalf Of** Lynne Peeples  
**Sent:** Wednesday, January 17, 2018 8:20 PM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** Re: Reporting on repurposing former Superfund sites

Thanks again, Tricia. Questions below. Yes, I would need answers by 1/26. A call would still be ideal, if at all possible. Appreciate it!

1. I understand that, to date (12/21/17), 395 sites have now been remediated and removed from the Superfund list. Is this correct? Any ballpark for how many more sites might be remediated and removed from the list going forward -- in say, one year or 10 years?
2. Why is reuse of the sites important? What kind of follow-up, if any, does the EPA do after a site is removed from the Superfund list? Does the agency -- or others -- monitor the reuse?
3. Of the repurposing uses so far, could you share examples of what has worked the best? Any particularly innovative approaches that future projects could consider?
4. What uses so far have proved problematic? Any lessons we can take away to inform future repurposing projects?

On Wed, Jan 17, 2018 at 10:29 AM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Hi Lynne—

Thanks for your email. In order to proceed, I'll need a complete list of your questions (though we can go back with follow-up if necessary). I also want to confirm that 1/26 is your deadline.

I'm happy to ask about a call, but please be aware that they're not always available. If not, we can generally respond in writing.

Thanks again. I look forward to hearing from you soon.

--Tricia

**From:** [REDACTED] **Ex. 6 Personal Privacy (PP)** **On Behalf Of** Lynne Peeples  
**Sent:** Wednesday, January 17, 2018 12:41 PM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** Re: Reporting on repurposing former Superfund sites

Good afternoon,

Just wanted to follow up on my request. Thanks so much again.

Lynne

On Fri, Jan 12, 2018 at 1:29 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Hi Tricia,

I'm reporting a story for Ensia on the repurposing of former Superfund sites -- examples of what lands are being used for now, lessons learned so far as to what works well and what doesn't, etc. Would it be possible to connect me with someone at the EPA who could speak to this? The sooner the better, of course, but anytime in the next two weeks would be fine.

Thanks so much, in advance, for your time and help.

Best,

Lynne

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**LYNNE PEEPLES** | Science, Health and Environment Reporter  
w: 646-233-3217 | c: Ex. 6 Personal Privacy (PP) | www.lynneppeeples.com

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**LYNNE PEEPLES** | Science, Health and Environment Reporter  
w: 646-233-3217 | c: Ex. 6 Personal Privacy (PP) | www.lynneppeeples.com

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--

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w: 646-233-3217 | c: Ex. 6 Personal Privacy (PP) | www.lynnpeeples.com

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 2/14/2018 6:01:32 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

---

**From:** regionalpress  
**Sent:** Wednesday, February 14, 2018 6:01:31 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** Bassler, Rachel; regionalpress  
**Cc:** Kelley, Jeff; Rowan, Anne  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

Hi .. connected with Kell – he thinks: **Ex. 5 Deliberative Process (DP)**

Thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**Ex. 6 Personal Privacy (PP)** **(mobile)**

---

**From:** Bassler, Rachel  
**Sent:** Tuesday, February 13, 2018 3:04 PM  
**To:** regionalpress <regionalpress@epa.gov>  
**Cc:** Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>  
**Subject:** Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

The author Nancy Nichols will be in town at the end of February/early March and would like to sit down with EPA to get a general update on three Superfund sites in Waukegan, IL, the topic of her previous book. The author is writing another book and some articles about the sites and would like to know how the sites are progressing and whether they will be delisted in the near future. Our thought is **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Here's a link to her first book, *Lake Effect*, published in 2008 [https://www.amazon.com/Lake-Effect-Sisters-Towns-Legacy/dp/1597260843/ref=sr\\_1\\_fkmr0\\_1?s=books&ie=UTF8&qid=1518551959&sr=1-1-fkmr0&keywords=nancy+nicholson+waukegan](https://www.amazon.com/Lake-Effect-Sisters-Towns-Legacy/dp/1597260843/ref=sr_1_fkmr0_1?s=books&ie=UTF8&qid=1518551959&sr=1-1-fkmr0&keywords=nancy+nicholson+waukegan)

Ok to move forward?

Thanks,  
Rachel

Rachel Bassler  
Press Officer  
U.S. EPA Region 5  
bassler.rachel@epa.gov  
p: 312-886-7159

C: **Ex. 6 Personal Privacy (PP)**

Message

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**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 2/14/2018 5:59:27 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

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**From:** regionalpress  
**Sent:** Wednesday, February 14, 2018 5:59:24 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** Kelly, Albert; regionalpress  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

Yes indeed

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  

Ex. 6 Personal Privacy (PP)

**(mobile)**

---

**From:** Kelly, Albert  
**Sent:** Wednesday, February 14, 2018 12:41 PM  
**To:** regionalpress <regionalpress@epa.gov>  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

Are you advising Cathy Stepp or Ed?

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

---

**From:** regionalpress  
**Sent:** Wednesday, February 14, 2018 12:39 PM  
**To:** Kelly, Albert <kelly.albert@epa.gov>; regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

Ex. 5 Deliberative Process (DP)

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  

Ex. 6 Personal Privacy (PP)

**(mobile)**

---

**From:** Kelly, Albert  
**Sent:** Tuesday, February 13, 2018 5:21 PM

To: regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

## Ex. 5 Deliberative Process (DP)

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

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From: regionalpress

Sent: Tuesday, February 13, 2018 4:56 PM

To: Kelly, Albert <kelly.albert@epa.gov>; regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

Looks like chicago

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**

Ex. 6 Personal Privacy (PP) **(mobile)**

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From: Kelly, Albert

Sent: Tuesday, February 13, 2018 3:21 PM

To: regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

### Ex. 5 Deliberative Process (DP)

Is she to be in Chicago or DC?

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

---

From: regionalpress

Sent: Tuesday, February 13, 2018 3:19 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>

Subject: FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

See below – do we want to do this for this book? Thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**

Ex. 6 Personal Privacy (PP) **(mobile)**

**From:** Bassler, Rachel

**Sent:** Tuesday, February 13, 2018 3:04 PM

**To:** regionalpress <regionalpress@epa.gov>

**Cc:** Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>

**Subject:** Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

The author Nancy Nichols will be in town at the end of February/early March and would like to sit down with EPA to get a general update on three Superfund sites in Waukegan, IL, the topic of her previous book. The author is writing another book and some articles about the sites and would like to know how the sites are progressing and whether they will be delisted in the near future. Our thought is [REDACTED] **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Here's a link to her first book, *Lake Effect*, published in 2008 [https://www.amazon.com/Lake-Effect-Sisters-Towns-Legacy/dp/1597260843/ref=sr\\_1\\_fkmr0\\_1?s=books&ie=UTF8&qid=1518551959&sr=1-1-fkmr0&keywords=nancy+nicholson+waukegan](https://www.amazon.com/Lake-Effect-Sisters-Towns-Legacy/dp/1597260843/ref=sr_1_fkmr0_1?s=books&ie=UTF8&qid=1518551959&sr=1-1-fkmr0&keywords=nancy+nicholson+waukegan)

Ok to move forward?

Thanks,  
Rachel

Rachel Bassler  
Press Officer  
U.S. EPA Region 5  
bassler.rachel@epa.gov  
p: 312-886-7159

C [REDACTED] **Ex. 6 Personal Privacy (PP)**

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 2/14/2018 5:40:36 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

---

**From:** Kelly, Albert  
**Sent:** Wednesday, February 14, 2018 5:40:35 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** regionalpress  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

Are you advising Cathy Stepp or Ed?

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

---

**From:** regionalpress  
**Sent:** Wednesday, February 14, 2018 12:39 PM  
**To:** Kelly, Albert <kelly.albert@epa.gov>; regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

**Ex. 5 Deliberative Process (DP)**

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**

Ex. 6 Personal Privacy (PP) **(mobile)**

---

**From:** Kelly, Albert  
**Sent:** Tuesday, February 13, 2018 5:21 PM  
**To:** regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

**Ex. 5 Deliberative Process (DP)**

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

---

**From:** regionalpress  
**Sent:** Tuesday, February 13, 2018 4:56 PM

To: Kelly, Albert <kelly.albert@epa.gov>; regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
Subject: RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

Looks like chicago

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**Ex. 6 Personal Privacy (PP)** **(mobile)**

---

From: Kelly, Albert  
Sent: Tuesday, February 13, 2018 3:21 PM  
To: regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
Subject: RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

**Ex. 5 Deliberative Process (DP)** Is she to be in Chicago or DC?

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
**Ex. 6 Personal Privacy (PP)**

---

From: regionalpress  
Sent: Tuesday, February 13, 2018 3:19 PM  
To: Bowman, Liz <Bowman.Liz@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>  
Subject: FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

See below – do we want to do this for this book? Thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**Ex. 6 Personal Privacy (PP)** **(mobile)**

---

From: Bassler, Rachel  
Sent: Tuesday, February 13, 2018 3:04 PM  
To: regionalpress <regionalpress@epa.gov>  
Cc: Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>  
Subject: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

The author Nancy Nichols will be in town at the end of February/early March and would like to sit down with EPA to get a general update on three Superfund sites in Waukegan, IL, the topic of her previous book. The author is writing another book and some articles about the sites and would like to know how the sites are progressing and whether they will be delisted in the near future. Our thought is **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Here's a link to her first book, *Lake Effect*, published in 2008 [https://www.amazon.com/Lake-Effect-Sisters-Towns-Legacy/dp/1597260843/ref=sr\\_1\\_fkmr0\\_1?s=books&ie=UTF8&qid=1518551959&sr=1-1-fkmr0&keywords=nancy+nicholson+waukegan](https://www.amazon.com/Lake-Effect-Sisters-Towns-Legacy/dp/1597260843/ref=sr_1_fkmr0_1?s=books&ie=UTF8&qid=1518551959&sr=1-1-fkmr0&keywords=nancy+nicholson+waukegan)

Ok to move forward?

Thanks,  
Rachel

Rachel Bassler  
Press Officer  
U.S. EPA Region 5  
bassler.rachel@epa.gov  
p: 312-886-7159

C: Ex. 6 Personal Privacy (PP)



Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 2/14/2018 5:39:17 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

---

**From:** regionalpress  
**Sent:** Wednesday, February 14, 2018 5:39:15 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** Kelly, Albert; regionalpress; Bowman, Liz  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

**Ex. 5 Deliberative Process (DP)**

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**

Ex. 6 Personal Privacy (PP) **(mobile)**

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**From:** Kelly, Albert  
**Sent:** Tuesday, February 13, 2018 5:21 PM  
**To:** regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

**Ex. 5 Deliberative Process (DP)**

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

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**From:** regionalpress  
**Sent:** Tuesday, February 13, 2018 4:56 PM  
**To:** Kelly, Albert <kelly.albert@epa.gov>; regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

Looks like chicago

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**

Ex. 6 Personal Privacy (PP) **(mobile)**

---

**From:** Kelly, Albert  
**Sent:** Tuesday, February 13, 2018 3:21 PM

To: regionalpress <regionalpress@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

**Ex. 5 Deliberative Process (DP)** Is she to be in Chicago or DC?

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ex. 6 Personal Privacy (PP)

---

From: regionalpress

Sent: Tuesday, February 13, 2018 3:19 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>

Subject: FW: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

See below – do we want to do this for this book? Thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**(mobile)**

Ex. 6 Personal Privacy (PP)

---

From: Bassler, Rachel

Sent: Tuesday, February 13, 2018 3:04 PM

To: regionalpress <regionalpress@epa.gov>

Cc: Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>

Subject: Author: Book on Waukegan Superfund sites - writing another book and articles. DDL 2/26

The author Nancy Nichols will be in town at the end of February/early March and would like to sit down with EPA to get a general update on three Superfund sites in Waukegan, IL, the topic of her previous book. The author is writing another book and some articles about the sites and would like to know how the sites are progressing and whether they will be delisted in the near future. Our thought is

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Here's a link to her first book, *Lake Effect*, published in 2008 [https://www.amazon.com/Lake-Effect-Sisters-Towns-Legacy/dp/1597260843/ref=sr\\_1\\_fkmr0\\_1?s=books&ie=UTF8&qid=1518551959&sr=1-1-fkmr0&keywords=nancy+nicholson+waukegan](https://www.amazon.com/Lake-Effect-Sisters-Towns-Legacy/dp/1597260843/ref=sr_1_fkmr0_1?s=books&ie=UTF8&qid=1518551959&sr=1-1-fkmr0&keywords=nancy+nicholson+waukegan)

Ok to move forward?

Thanks,  
Rachel

Rachel Bassler  
Press Officer  
U.S. EPA Region 5  
bassler.rachel@epa.gov  
p: 312-886-7159

C: Ex. 6 Personal Privacy (PP)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 2/14/2018 5:16:06 PM  
**To:** emiller@ttnews.com  
**CC:** Press [Press@epa.gov]  
**Subject:** Subject: press inquiry:

Eric, for attribution to "an EPA spokesperson," please:

We have no comment at this time.

Thanks, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

**Date:** February 12, 2018 at 5:24:11 PM EST  
**To:** "'[iones.enesta@epa.gov](mailto:iones.enesta@epa.gov)'" <[iones.enesta@epa.gov](mailto:iones.enesta@epa.gov)>  
**Subject:** press inquiry:

Enesta:

As you're likely aware, the California Air Resources Board yesterday unanimously approved plans to retain Obama administration Phase 2 greenhouse gas emissions rule provisions for medium and heavy-duty trucks that would regulate glider kits and trailer emissions. The board's action appears to run counter to proposal announced by Administrator Pruitt to repeal the glider vehicle provision and his plan to review the rule's requirement that regulates trailers. Any comment on the CARB action?

Thanks.

-Eric Miller

**Eric Miller**  
**Staff Reporter**  
*Transport Topics*  
950 N. Glebe Road  
Suite 210  
Arlington, VA 22203  
703-838-1961

**Disclaimer**

NOTICE: This e-mail message and any attachments to it contain confidential information and are intended solely for the use of the individual(s) or entities to which it is addressed. If you are not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that you are prohibited from reviewing, retransmitting,

converting to hard copy, copying, disseminating, or otherwise using in any manner this e-mail or any attachments to it. If you have received this message in error, please notify the sender by replying to this message and delete it from your computer.

Message

---

**From:** regionalpress [regionalpress@epa.gov]  
**Sent:** 2/14/2018 3:40:55 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: MEDIA INQUIRY: Portland Tribune -- air toxics, NATA, naphthalene, Oregon  
**Attachments:** Amerities OAQPS media response draft 01-26-18 R10 edits.docx

---

**From:** Skadowski, Suzanne  
**Sent:** Wednesday, February 14, 2018 3:40:51 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** regionalpress; Grantham, Nancy  
**Cc:** Holsman, Marianne; Bremer, Kristen  
**Subject:** MEDIA INQUIRY: Portland Tribune -- air toxics, NATA, naphthalene, Oregon

Hi Nancy,

We propose sending the below/attached OAQPS-approved media response today to this local reporter. Ok with OPA?

Thanks,  
Suzanne

**Suzanne Skadowski**  
Public Affairs | Media Relations Specialist  
U.S. Environmental Protection Agency  
Region 10 Pacific Northwest - Seattle  
O: 206-553-2160 C: Ex. 5 Personal Privacy (PP)  
Twitter: [@EPAnorthwest](#)  
Facebook: [@eparegion10](#)

## R10 MEDIA INQUIRY

**News outlet and reporter:** Paul Koberstein, Portland Tribune, 503 223 9036, [paul@times.org](mailto:paul@times.org)  
**Topic:** Air toxics, NATA data, naphthalene air emissions in The Dalles, Oregon  
**Date of inquiry:** Jan. 22, 2018  
**Deadline:** mid-February (*reporter has checked in weekly on status of our response*)

***EPA responses are for background information only, not for attribution to EPA.***

**Q 1.** "I'm trying to understand the EPA's estimated cancer rate in The Dalles, Ore., based on EPA's Dec 2015 National Air Toxic Assessment. It appears that one of the town's biggest polluters, Amerities, is not listed among facilities in the database. As the Cleaner Air Oregon program kicks in, folks I've talked to are concerned about the accuracy of data it will utilize. Can you tell me whether this omission is an oversight, or some other issue?"

**EPA:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Q2. "Would it be fair to say that the cancer rate for Wasco, Oregon is significantly understated in the NATA database?"

EPA: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Q3. "Does the EPA possess any actual or self-reported naphthalene emissions data for the Amerities plant in terms of tons/year?"

EPA: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Q4. "Does the EPA plan to include Amerities emissions data in the next NATA?"

EPA: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Q5. "When will the next NATA be published?"

EPA: Ex. 5 Deliberative Process (DP)

Q6. "The Amerities ACDP shows a PTE for naphthalene, a probable carcinogen, of about 5 tons per year. Would those emissions have any effect on the projected cancer rate, and if so, how much of an effect?"

EPA: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

---

**From:** Bremer, Kristen  
**Sent:** Tuesday, February 13, 2018 6:55 AM  
**To:** Skadowski, Suzanne <Skadowski.Suzanne@epa.gov>  
**Subject:** RE: MEDIA INQUIRY: Portland Tribune -- napthalene, NATA, The Dalles, Oregon

Hi Suzanne,

We don't have any changes. And my sincerest apologies for the delayed response.

---

Kristen Bremer  
Policy Analysis & Communications  
U.S. EPA, Office of Air Quality Planning & Standards  
Email: [bremer.kristen@epa.gov](mailto:bremer.kristen@epa.gov)  
Phone: 919.541.9424  
Cell: Ex. 6 Personal Privacy (PP)

---

**From:** Skadowski, Suzanne  
**Sent:** Monday, February 12, 2018 12:47 PM  
**To:** Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>  
**Subject:** RE: MEDIA INQUIRY: Portland Tribune -- napthalene, NATA, The Dalles, Oregon

Hi Kristin,

Do we have your team's ok on our draft response?

Thank you!  
Suzanne

**Suzanne Skadowski**  
Public Affairs | Media Relations Specialist  
U.S. Environmental Protection Agency  
Region 10 Pacific Northwest - Seattle  
O: 206-553-2160 C: Ex. 6 Personal Privacy (PP)  
Twitter: [@EPAnorthwest](https://twitter.com/EPAnorthwest)  
Facebook: [@eparegion10](https://www.facebook.com/eparegion10)

---

**From:** Skadowski, Suzanne  
**Sent:** Monday, January 29, 2018 2:37 PM  
**To:** Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>  
**Subject:** FW: MEDIA INQUIRY: Portland Tribune -- napthalene, NATA, The Dalles, Oregon

**Suzanne Skadowski**  
Public Affairs | Media Relations Specialist  
U.S. Environmental Protection Agency  
Region 10 Pacific Northwest - Seattle  
O: 206-553-2160 C: Ex. 6 Personal Privacy (PP)

Twitter: [@EPAnorthwest](#)  
Facebook: [@eparegion10](#)

---

**From:** Skadowski, Suzanne  
**Sent:** Monday, January 29, 2018 2:36 PM  
**To:** Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>  
**Subject:** RE: MEDIA INQUIRY: Portland Tribune -- naphthalene, NATA, The Dalles, Oregon

Hi Kristen,

Just received some updated info on one of the questions below and added to the updated draft, attached.

3. "Does the EPA possess any actual or self-reported naphthalene emissions data for the Amerities plant in terms of tons/year?"

EPA: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

And just FYI from our air team on the TRI info:

## Ex. 5 Deliberative Process (DP)

**Suzanne Skadowski**  
Public Affairs | Media Relations Specialist  
U.S. Environmental Protection Agency  
Region 10 Pacific Northwest - Seattle  
O: 206-553-2160 C: Ex. 6 Personal Privacy (PP)  
Twitter: [@EPAnorthwest](#)  
Facebook: [@eparegion10](#)

---

**From:** Bremer, Kristen  
**Sent:** Monday, January 29, 2018 1:44 PM  
**To:** Skadowski, Suzanne <[Skadowski.Suzanne@epa.gov](mailto:Skadowski.Suzanne@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Davis, Alison <[Davis.Alison@epa.gov](mailto:Davis.Alison@epa.gov)>; Welderufael, Miriam <[welderufael.miriam@epa.gov](mailto:welderufael.miriam@epa.gov)>  
**Subject:** RE: MEDIA INQUIRY: Portland Tribune -- naphthalene, NATA, The Dalles, Oregon

Will do.

---

Kristen Bremer  
Policy Analysis & Communications  
U.S. EPA, Office of Air Quality Planning & Standards  
Email: [bremer.kristen@epa.gov](mailto:bremer.kristen@epa.gov)  
Phone: 919.541.9424  
Cell: Ex. 6 Personal Privacy (PP)



---

**From:** Skadowski, Suzanne  
**Sent:** Monday, January 29, 2018 4:43 PM  
**To:** Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Davis, Alison <[Davis.Alison@epa.gov](mailto:Davis.Alison@epa.gov)>; Welderufael, Miriam <[welderufael.miriam@epa.gov](mailto:welderufael.miriam@epa.gov)>  
**Subject:** RE: MEDIA INQUIRY: Portland Tribune -- naphthalene, NATA, The Dalles, Oregon

Hi Kristen,

Thank you again for the help and coordination. Attached is an updated draft with comments/edits from our air program.

Let me know if this draft is ok with your folks too.

Thanks,  
Suzanne

**Suzanne Skadowski**  
Public Affairs | Media Relations Specialist  
U.S. Environmental Protection Agency  
Region 10 Pacific Northwest - Seattle  
O: 206-553-2160 C: Ex. 6 Personal Privacy (PP)  
Twitter: [@EPAnorthwest](https://twitter.com/EPAnorthwest)  
Facebook: [@eparegion10](https://www.facebook.com/eparegion10)

---

**From:** Bremer, Kristen  
**Sent:** Wednesday, January 24, 2018 10:19 AM  
**To:** Skadowski, Suzanne <[Skadowski.Suzanne@epa.gov](mailto:Skadowski.Suzanne@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Davis, Alison <[Davis.Alison@epa.gov](mailto:Davis.Alison@epa.gov)>; Welderufael, Miriam <[welderufael.miriam@epa.gov](mailto:welderufael.miriam@epa.gov)>  
**Subject:** RE: MEDIA INQUIRY: Portland Tribune -- naphthalene, NATA, The Dalles, Oregon

Hi Suzanne,

I've attached OAQPS' edits. Let me know if you have any questions.

---

Kristen Bremer  
Policy Analysis & Communications  
U.S. EPA, Office of Air Quality Planning & Standards  
Email: [bremer.kristen@epa.gov](mailto:bremer.kristen@epa.gov)  
Phone: 919.541.9424  
Cell: Ex. 6 Personal Privacy (PP)

---

**From:** Skadowski, Suzanne  
**Sent:** Tuesday, January 23, 2018 10:23 AM  
**To:** Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Davis, Alison <[Davis.Alison@epa.gov](mailto:Davis.Alison@epa.gov)>; Welderufael, Miriam <[welderufael.miriam@epa.gov](mailto:welderufael.miriam@epa.gov)>  
**Subject:** RE: MEDIA INQUIRY: Portland Tribune -- naphthalene, NATA, The Dalles, Oregon

Hi Kristen,

Thank you, we appreciate it.

Reporter has let me know we have a few weeks to get him the info, since he's trying to time his story with the state's Cleaner Air Oregon rulemaking this spring.

We will probably need to

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Thank you!  
Suzanne

### Suzanne Skadowski

Public Affairs | Media Relations Specialist

U.S. Environmental Protection Agency

Region 10 Pacific Northwest - Seattle

O: 206-553-2160 C: Ex. 6 Personal Privacy (PP)

Twitter: @EPAnorthwest

Facebook: @eparegion10

---

**From:** Bremer, Kristen

**Sent:** Tuesday, January 23, 2018 6:10 AM

**To:** Jones, Enesta <Jones.Enesta@epa.gov>

**Cc:** Skadowski, Suzanne <Skadowski.Suzanne@epa.gov>; Davis, Alison <Davis.Alison@epa.gov>; Welderufael, Miriam <welderufael.miriam@epa.gov>

**Subject:** Re: MEDIA INQUIRY: Portland Tribune -- napthalene, NATA, The Dalles, Oregon

We're working on it. Let's us know the deadline. Thanks.

---

Kristen Bremer

Policy Analysis & Communications

U.S. EPA - OAQPS

Email: [brem.kristen@epa.gov](mailto:brem.kristen@epa.gov)

Phone: 919.541.9424

Cell: Ex. 6 Personal Privacy (PP)

Sent from my iPhone

On Jan 22

, 2018, at 6:12 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Kristen/Alison, can you help tomorrow? Suzanne, a firm deadline would be helpful.

On Jan 22, 2018, at 5:12 PM, Skadowski, Suzanne <Skadowski.Suzanne@epa.gov> wrote:

Hello:

We have a local media inquiry on air toxics and NATA in The Dalles, Oregon. Qs and some proposed responses are below but Qs need HQ response too.

Thanks,

Suzanne

**Suzanne Skadowski**  
Public Affairs/Media Specialist  
U.S. Environmental Protection Agency | Seattle  
D: 206-553-2160 | C: Ex. 6 Personal Privacy (PP)

## R10 MEDIA INQUIRY

News outlet and reporter: Paul Koberstein, Portland Tribune, 503 223 9036, [paul@times.org](mailto:paul@times.org)  
Topic: naphthalene emissions in The Dalles, Oregon  
Deadline: none stated

1. "I'm trying to understand the EPA's estimated cancer rate in The Dalles, Ore., based on EPA's Dec 2015 National Air Toxic Assessment. It appears that one of the town's biggest polluters, Amerities, is not listed among facilities in the database. As the Cleaner Air Oregon program kicks in, folks I've talked to are concerned about the accuracy of data it will utilize. Can you tell me whether this omission is an oversight, or some other issue?"

R10: Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

2. "Would it be fair to say that the cancer rate for Wasco, Oregon is significantly understated in the NATA database?"

[Needs HQ response]

## Ex. 5 Deliberative Process (DP)

3. "Does the EPA possess any actual or self-reported naphthalene emissions data for the Amerities plant in terms of tons/year?"

R10: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

4. "Does the EPA plan to include Amerities emissions data in the next NATA?"

[Needs HQ response – also see #1 and #3 above.]

5. "When will the next NATA be published?"

[Needs HQ response -- Ex. 5 Deliberative Process (DP)

6. "The Amerities ACDP shows a PTE for naphthalene, a probable carcinogen, of about 5 tons per year. Would those emissions have any affect on the projected cancer rate, and if so, how much of an effect?"

[Needs HQ response – also see #2 and #3 above.]

# Ex. 5 Deliberative Process (DP)

## **Ex. 5 Deliberative Process (DP)**

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 2/22/2018 1:38:51 PM  
**To:** Press [Press@epa.gov]  
**Subject:** FW: News enquiry - TSCA inventory reporting deadline

Will work with the program.

**From:** Tammy Lovell [mailto:tammy.lovell@chemicalwatch.com]  
**Sent:** Thursday, February 22, 2018 8:35 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: News enquiry - TSCA inventory reporting deadline

Hi Robert

I'm panning to publish this story today. I spoke to a couple of industry associations and they said that they experienced difficulties submitting to the CDX because of system errors that caused crashes.

They also said that formal guidance promised by the EPA wasn't provided and that the transcripts of webinars were only published a week before the deadline.

Concerns were also raised about how quickly the EPA will be able to produce a draft inventory for the remaining processor period and that if the window between the release of the draft inventory and the close of the processor period is too narrow, there are chances that chemical substances may inaccurately be labelled as inactive.

Also a suggestion was made that the EPA offer support to processors including hosting webinars and posting questions and answers and other processor-specific guidance as soon as possible after the draft inventory is published and offer separate, specific training on the CDX platform to processors.

Does the EPA want to respond to any of this? I was hoping to publish today so it would be great if you could get back to me in that timeframe.

Thanks  
Tammy

**Tammy Lovell**

Business Reporter  
CW Research Ltd

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+44 1743 818121 (fax)  
[www.chemicalwatch.com](http://www.chemicalwatch.com)



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On 15 February 2018 at 16:33, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Tammy, still for attribution to "an EPA spokesperson," please:

The import or processing of a chemical as part of an article, like toys, cars or clothing are activities that are exempt from reporting. However, downstream users are encouraged to ensure that the chemicals they use in making their products have been placed on the inventory by their suppliers. To view the interim list of chemical substances that have been reported, visit our site: <https://www.epa.gov/tsca-inventory/tsca-inventory-notification-active-inactive-rule>.

**From:** Tammy Lovell [mailto:[tammy.lovell@chemicalwatch.com](mailto:tammy.lovell@chemicalwatch.com)]  
**Sent:** Wednesday, February 14, 2018 3:56 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: News enquiry - TSCA inventory reporting deadline

Hi Robert

Can I check - was the deadline for manufacturers and importers of chemicals or off finished products which contain chemicals? For example if I made toys/ cars/clothing would I have to report by the deadline?

Thanks,

Tammy

Tammy Lovell

Business Reporter

CW Research Ltd

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On 13 February 2018 at 21:48, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

**Follow-up answer. Please advise.**

**Response:** Failure to submit a required notice by the deadline is a violation of TSCA section 8(b). Anyone who fails to file by the statutory deadline of February 7, 2018 should consider using the EPA's Self-Disclosure policy to self-report potential violations (see: <https://www.epa.gov/compliance/epas-edisclosure>).

EPA's primary objective is accurate and complete reporting. Therefore, the Agency urges manufacturers that missed the February 7 deadline to file as soon as they are able - even though the deadline has passed and any submission filed now is late - so that the Agency can accurately designate substances as "active" or "inactive" on the TSCA Inventory at the close of the full retrospective submission period on October 5. The CDX system will allow for late submissions.

**From:** Tammy Lovell [mailto:[tammy.lovell@chemicalwatch.com](mailto:tammy.lovell@chemicalwatch.com)]  
**Sent:** Tuesday, February 13, 2018 8:08 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: News enquiry - TSCA inventory reporting deadline

Hi Robert,

Thanks for this response.

If companies are in violation of TSCA section 8 (b) is there any kind of enforcement action against them (such as fines etc)?

**Tammy Lovell**

Business Reporter

CW Research Ltd

Ex. 6 Personal Privacy (PP) direct)

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On 13 February 2018 at 13:05, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

- Tammy, on background, please:

I believe the deadline for this was February 7th. I was wondering if most manufacturers had managed to meet this deadline?

EPA received more than 85,000 individual Notices of Activity (NOAs) by the February 7 deadline which represents a significant effort by manufacturers. Note that NOAs do not equate to the number of chemicals on the market; EPA is currently calculating the updated number of unique chemical substances that were reported.

- How many companies have reported on their chemical use?

EPA's estimate at this time is that about 500 companies filed Notices of Activity.

- How many do you estimate did not report on time? Was the response what you were anticipating?

Because processor reporting continues through October 5, it is difficult at this time for the Agency to determine if notices that it continues to receive are from processors or are from manufacturers filing after the February 7 deadline.

Similar to the compiling of the original TSCA Inventory, EPA did expect to receive tens of thousands of notices with many filed close to the deadline.

- What happened to companies if they don't report by the deadline? Is there any kind of enforcement action?

EPA's primary objective is accurate and complete reporting. Therefore, the Agency urges manufacturers that missed the February 7 deadline to file as soon as they are able - even though the deadline has passed and any submission filed now is late - so that the Agency can accurately designate substances as "active" or "inactive" on the TSCA Inventory at the close of the full retrospective submission period on October 5. The CDX system will allow for late submissions.

Failure to submit a required notice by the deadline is a violation of TSCA section 8(b). Anyone who fails to file by the statutory deadline of February 7, 2018 should consider using the EPA's Self-Disclosure policy to self-report potential violations (see: <https://www.epa.gov/compliance/epas-edisclosure>)

---

**From:** Daguiard, Robert  
**Sent:** Tuesday, February 13, 2018 7:52 AM  
**To:** 'Tammy Lovell' <[tammy.lovell@chemicalwatch.com](mailto:tammy.lovell@chemicalwatch.com)>  
**Subject:** RE: News enquiry - TSCA inventory reporting deadline

Yes. I'll try getting you a response by mid-morning (our time; mid-afternoon yours) if OK?

**From:** Tammy Lovell [<mailto:tammy.lovell@chemicalwatch.com>]  
**Sent:** Tuesday, February 13, 2018 5:40 AM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** Re: News enquiry - TSCA inventory reporting deadline

Hi Robert

Are you able to provide any response to this enquiry? My deadline for this story is today.

Thanks,

Tammy

**Tammy Lovell**

Business Reporter

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On 8 February 2018 at 14:09, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning (afternoon to you) Tammy,

Thanks for reaching out. Let me see what I can find out for you.

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) M)

**From:** Tammy Lovell [mailto:[tammy.lovell@chemicalwatch.com](mailto:tammy.lovell@chemicalwatch.com)]

**Sent:** Thursday, February 08, 2018 8:59 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** News enquiry - TSCA inventory reporting deadline

Dear Robert,

I'm writing a story for the Chemical Watch website about the US EPA requiring manufacturers to report on their chemical use for the substance inventory reset required under TSCA amendments.

I believe the deadline for this was February 7th. I was wondering if most manufacturers had managed to meet this deadline? How many companies have reported on their chemical use? How many do you estimate did not report on time? Was the response what you were anticipating?

What happened to companies if they don't report by the deadline? Is there any kind of enforcement action?

My deadline for this story is Tuesday, so it would be great if you get an answer to me by Monday if possible. Let me know if this is possible.

Kind Regards,

Tammy

**Tammy Lovell**

Business Reporter

CW Research Ltd

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[www.chemicalwatch.com](http://www.chemicalwatch.com)



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Message

---

**From:** Feito, Brian [bfeito@warren-news.com]  
**Sent:** 2/21/2018 11:25:55 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Court Ruling on Formaldehyde in Composite Wood

Thanks Robert.

---

**From:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Sent:** Wednesday, February 21, 2018 4:29:38 PM  
**To:** Feito, Brian  
**Cc:** Press  
**Subject:** RE: Court Ruling on Formaldehyde in Composite Wood

Brian, for attribution to "an EPA spokesperson," please:

"We are reviewing the decision."

Thanks, R.

---

**From:** Feito, Brian [mailto:bfeito@warren-news.com]  
**Sent:** Wednesday, February 21, 2018 12:56 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Court Ruling on Formaldehyde in Composite Wood

We could probably push back to 330, 4 latest. Hope that helps!

On Feb 21, 2018, at 12:45 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Hullo Brian,

Let me see what we can send you.

How late can you push your deadline back, by the way?

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Feito, Brian [mailto:bfeito@warren-news.com]  
**Sent:** Wednesday, February 21, 2018 12:06 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Court Ruling on Formaldehyde in Composite Wood

Hi Robert,

I'm a reporter with International Trade Today. I saw a federal court recently ruled against EPA's delay of formaldehyde standards and certification requirements for composite wood.

[https://c.ymcdn.com/sites/iwpawood.site-ym.com/resource/resmgr/docs/2018-02-16\\_Order\\_Re\\_dckt\\_72\\_.pdf](https://c.ymcdn.com/sites/iwpawood.site-ym.com/resource/resmgr/docs/2018-02-16_Order_Re_dckt_72_.pdf)

Does EPA plan to appeal? Any other comment?

Our deadline is 2:30 p.m.

Thanks,

Brian Feito  
International Trade Today

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 2/21/2018 9:54:08 PM  
**To:** Steve Davies [steve@agri-pulse.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Udall, Booker, Harris, Blumenthal Offer Compromise to Pesticide Registration Reauthorization Stalemate

Steve, for attribution to “an EPA spokesperson,” please:

“EPA declines comment”

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Feb 21, 2018, at 4:39 PM, Steve Davies <[steve@agri-pulse.com](mailto:steve@agri-pulse.com)> wrote:

any chance I could get a comment on this? Question would be, does EPA support this amendment? Is the agency willing to commit to leaving the WPS and CPA rules alone?

Thank you

Steve Davies

-----  
Steve Davies  
Associate Editor  
202-744-1535  
[steve@agri-pulse.com](mailto:steve@agri-pulse.com)

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----- Forwarded message -----

**From:** Tom Udall Press Office <[NEWS\\_PressOffice@tomudall.senate.gov](mailto:NEWS_PressOffice@tomudall.senate.gov)>  
**Date:** Wed, Feb 21, 2018 at 4:17 PM  
**Subject:** Udall, Booker, Harris, Blumenthal Offer Compromise to Pesticide Registration Reauthorization Stalemate  
**To:** Tom Udall Press Office <[NEWS\\_PressOffice@tomudall.senate.gov](mailto:NEWS_PressOffice@tomudall.senate.gov)>

**NEWS FROM THE UNITED STATES SENATE**



**For Immediate Release**

**February 21, 2018**

**Contact:** Jennifer Talhelm

202.228.6870 | [news@tomudall.senate.gov](mailto:news@tomudall.senate.gov) | [@SenatorTomUdall](https://twitter.com/SenatorTomUdall)

**Udall, Booker, Harris, Blumenthal Offer Compromise to  
Pesticide Registration Reauthorization Stalemate**  
***Propose 5-year reauthorization as long as the EPA halts plans to  
roll back protections for children and farmworkers who handle  
dangerous pesticides***

WASHINGTON – Today, U.S. Senators Tom Udall (D-N.M.), Cory Booker (D-N.J.), Kamala Harris (D-Calif.), and Richard Blumenthal (D-Conn.) announced that they are offering a compromise amendment that would allow an extension of the nation's pesticide registration program with updates sought by industry while also maintaining administrative rules that protect agricultural workers and children.

The senators have had a "hold" on H.R.1029, the Pesticide Registration Enhancement Act of 2017 (PRIA) in an effort to prevent the Environmental Protection Agency (EPA) from moving forward with its plan to roll back two Obama-era rules. The rules prevent children younger than 18 working in agriculture from handling highly dangerous pesticides like chlorpyrifos, which has been linked to brain damage in children, and help farmworkers get critical health and safety information about the pesticides they come into contact with. The senators also want the EPA to follow the law and respond to objections filed by worker and environmental advocates opposed to the agency's 2017 decision to overturn its own 2016 recommendation to ban chlorpyrifos.

Udall, Booker, Harris and Blumenthal have circulated a draft amendment aimed at moving PRIA forward while preserving the worker protection rules. If the amendment is included in a manager's amendment, it would garner their support for swift passage of the PRIA reauthorization bill.

"I have been in talks with the EPA over the last several months, and there is simply no good reason that the EPA is spending precious dollars to weaken protections for children and workers, while cutting the EPA's overall budget by almost 25 percent. Our requests are simple – we want to prevent the EPA from rolling back rules that protect almost half a million young kids working on farms across the country from handling a pesticide that the EPA's own scientists have linked to brain damage in children. We want to protect a rule that allows farmworkers to have access to safety information about the pesticides they are exposed to on the job. And we want the EPA to comply with the law with respect to its dangerous decision not to go through with a ban of chlorpyrifos," **Udall said**. "I'm not going to stop fighting to protect children and workers. The EPA has been unreasonable, so we are offering this amendment in hopes of finding a way forward that protects these common-sense and highly popular protections for kids and farmworkers and reauthorizes PRIA. The responsible members of the regulated industry want to see PRIA reauthorized, and they aren't clamoring for weaker protections for children and workers."

"We know that certain pesticides can increase the risk of cancer and can negatively impact brain development in children," **Booker said**. "Farmworkers and others who handle or come into close contact with such dangerous pesticides should at the very least have a basic level of protection, such as a right to safety information about the chemicals they're exposed to and an agreed-upon minimum age for handling dangerous pesticides. Unfortunately, this Administration is now proposing to weaken these common-sense protections – safeguards that have been 10 years in the making. This proposed compromise will allow a full reauthorization of PRIA while preserving these critical protections."

"Farmworkers have a right to a clean and healthy workplace and our children should not be exposed to dangerous pesticides," **Harris said**. "The EPA has a responsibility to protect our environment to ensure public safety, public health. We cannot allow them to abdicate that responsibility."

"EPA's planned rollback of rules protecting children and farmworkers from poisonous pesticides is dangerous to the extreme," **Blumenthal said**. "We are offering EPA a commonsense compromise that will protect kids from exposure to chemicals like chlorpyrifos and ensure that adult agricultural workers have full access to information about toxic pesticides. In the absence of EPA leadership, Congress has an obligation to do better than allow toxic chemicals to continue poisoning children and workers."

Current PRIA expired in September 2017, but it has been included in short-term reauthorizations on each subsequent continuing resolution. In March, the U.S. House of Representatives passed legislation reauthorizing the program until 2023. The Senate Committee on Agriculture reduced the reauthorization to 2020 after the EPA announced it would not implement the rules protecting children and farmworkers. Udall, Booker, Harris, and Blumenthal have objected to moving H.R.1029 on the Senate hotline without the full opportunity to offer amendments and debate.

## **SUMMARY OF AMENDMENT**

The amendment extends PRIA reauthorization to 2023, as originally passed by the U.S. House of Representatives.

The amendment ensures protection of children, workers, and communities most vulnerable and exposed to pesticides for the duration of the PRIA reauthorization by maintaining the Agricultural Worker Protection Standard (WPS) published in the federal register on Nov. 2, 2015, and the Certification of Pesticide Applicators (CPA) rule published in the federal register on Jan. 4, 2017. The EPA has noticed that it will undertake a rulemaking process on important aspects of this rule that are unnecessary and would lead to more exposure to pesticides by children and restrict the rights of workers to obtain basic safety information on pesticides they have been exposed to. More information below.

Additionally, the amendment requires that the administrator issue a final decision on objections filed by NGOs and several attorneys general to his March 29, 2017, Order Denying the PAN/NRDC Petition to Revoke All Tolerances and Cancel All Registrations for the Pesticide Chlorpyrifos within 50 days of passage of the act and any additional actions on chlorpyrifos within 90 days. If the administrator fails to do so, the objections will be considered denied.

Under the U.S. Federal Food, Drug, and Cosmetic Act, parties can appeal the denial of a petition to the EPA administrator through a process called objections [21 USC 346a (g)(2)] and the Administrator must respond "as soon as practicable." On June 5, 2017, parties, including seven states (New York, Washington, California, Massachusetts, Maine, Maryland, and Vermont) filed objections to the March 29, 2017, Order Denying PAN/NRDC Petition to Revoke All Tolerances and Cancel All Registrations for the Pesticide Chlorpyrifos. As of Feb. 1, 241 days have gone by since objections were filed. The EPA has told congressional staff that it would need six to eight weeks of dedicated staff time to respond to the objections, but has not prioritized these actions.

## **Worker Protection Standard (WPS)**

In November 2015, after more than a decade of stakeholder meetings, study and consideration, the EPA finalized revisions to the WPS that provide critical improvements designed to reduce the risk of illness or injury resulting from farmworkers' occupational exposures to pesticides. The WPS calls for basic preventive measures that include: direct and timely access to pesticide application information (the use, location, and hazards of specific pesticides); the basic right to a designated representative who can access pesticide application information on a worker's behalf; a minimum age of 18 to prohibit children from applying pesticides (there are exemptions for family-owned farms and their immediate family members); protection from drifting pesticides; anti-retaliation protections; and emergency assistance.

## **Certification of Pesticide Applicators (CPA)**

In January 2017, after more than 40 years, the EPA updated its regulations concerning the certification of, and training requirements for, individuals who apply restricted use pesticides (RUPs), which are some of the most dangerous pesticides available on the market and are applied in

agricultural, commercial and residential settings. Misuse of RUPs has resulted in injury, illness and death and highlights the importance of adequate training and proper handling of RUPs in order to protect our families from a preventable tragedy. The CPA rule enhances applicator competency standards, establishes a minimum age of 18 for pesticide applicators of RUPs, requires adequate training and supervision of noncertified pesticide applicators, and improves the quality of information that workers receive about the pesticides that they apply.

###

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 2/21/2018 9:32:07 PM  
**To:** Dorothy Atkins [dorothy.atkins@law360.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Subject: Law360 Request for Comment

Dorothy, for attribution to "an EPA spokesperson," please:

"We are reviewing the decision."

Regards, R.

**From:** Dorothy Atkins [mailto:dorothy.atkins@law360.com]  
**Sent:** Wednesday, February 21, 2018 10:15 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Subject: Law360 Request for Comment

Hi Robert,

Thanks for the response. The story is already live, but we can update it with the EPA's comment whenever we get it.

Dorothy

On Wed, Feb 21, 2018 at 7:56 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Dorothy,

My colleagues in our San Francisco office forwarded me your email. What's your deadline, please?

Thanks, R.

**From:** Dorothy Atkins <[dorothy.atkins@law360.com](mailto:dorothy.atkins@law360.com)>  
**Date:** February 20, 2018 at 1:55:57 PM PST  
**To:** [zito.kelly@epa.gov](mailto:zito.kelly@epa.gov)  
**Subject:** Law360 Request for Comment

Hi there,

I'm a reporter at Law360 working on a story on a California federal judge's ruling Friday that found the U.S. Environmental Protection Agency cannot push back the deadline for the industry to comply with new formaldehyde emissions standards.

I just wanted to reach out and see if the EPA would like to comment.

For reference, the case is Sierra Club et al. v. Pruitt, case number 4:17-cv-06293, in the U.S. District Court for the Northern District of California.

Regards,

Dorothy Atkins

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

--

Dorothy M. Atkins  
Court Reporter



Legal News & Data  
+1 (347) 237-3753

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 2/20/2018 8:21:12 PM  
**To:** Press [Press@epa.gov]  
**Subject:** RE: Logistical question about location of docs on website

I'll confirm with the program.

---

**From:** Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:) [mailto:jdlohy1@bloomberg.net]  
**Sent:** Tuesday, February 20, 2018 2:29 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Logistical question about location of docs on website

Thanks. Just as a logistical matter, since we're a month or so out from the 2019/20 RVO proposal, is there a EPA.gov page we should be keeping an eye on for, since the 2018 page doesn't exist yet?

Or will they just go here?

<https://www.epa.gov/renewable-fuel-standard-program/announcements-under-renewable-fuel-standard>

Thanks again,  
Jen.

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---  
Jennifer A. Dlouhy  
[jdlohy1@bloomberg.net](mailto:jdlohy1@bloomberg.net) / Ex. 6 Personal Privacy (PP)  
[reporterjen@protonmail.com](mailto:reporterjen@protonmail.com)  
Desk: 202.807.2159  
Cell/Text/Signal: Ex. 6 Personal Privacy (PP)  
Twitter: @jendlouhyhc  
Stories: <http://bloom.bg/23Crpvk>

**From:** [Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov) **At:** 02/20/18 12:59:20  
**To:** [Jennifer A. Dlouhy \(BLOOMBERG/ NEWSROOM: \)](mailto:Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:))  
**Cc:** [Press@epa.gov](mailto:Press@epa.gov)  
**Subject:** Re: Logistical question about location of docs on website

Good afternoon Jen:

**For attribution to "an EPA spokesperson:"**. We are still in the process of replying to Governor Carney.

**Off the record:** We have no updates on any upcoming RFS regulatory actions.

Thanks, R.

Robert Daguiillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
[Ex. 6 Personal Privacy (PP)] (M)  
202-564-6618 (O)

On Feb 13, 2018, at 2:09 PM, Jennifer A. Dlouhy (BLOOMBERG/NEWSROOM:) <[jdlouhy1@bloomberg.net](mailto:jdlouhy1@bloomberg.net)> wrote:

As we're always trying to keep an eye out for possible RFS announcements, can you point me to the possible location for any 2018 announcements related to the program?  
The 2017 RFS announcements page is here:  
<https://www.epa.gov/renewable-fuel-standard-program/2017-announcements-renewable-fuel-standard>  
And there are similar pages for 2016, 2015, et al. I don't see a new one for 2018 yet. Does that exist?

Also,

-----

Jennifer A. Dlouhy  
[jdlouhy1@bloomberg.net](mailto:jdlouhy1@bloomberg.net) / [Ex. 6 Personal Privacy (PP)]  
[reporterjen@protonmail.com](mailto:reporterjen@protonmail.com)  
Desk: 202.807.2159  
Cell/Text/Signal: [Ex. 6 Personal Privacy (PP)]  
Twitter: @jendlouhyhc  
Stories: <http://bloom.bg/23Crpvk>

Message

---

**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 12/20/2017 2:58:13 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: D. C. Circuit order on remaining attainment designations for 2015 ozone NAAQS

Not verbatim. I just asked Sean when does he need attribution since it's so unpredictable. He responded:

It's a judgment call depending on the story and circumstances. but, ideally, my preference is for every comment from an EPA spokesperson to be on the record and for attribution.

On Dec 20, 2017, at 9:53 AM, Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)> wrote:

Enesta haven't we already provided this quote to Sean a few times for other stories?

Sent from my iPhone

On Dec 20, 2017, at 8:40 AM, Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)> wrote:

Hi Enesta:

If we're doing to use this, we need to have it on the record, attributable to a named spokesperson. Otherwise, the story will say that EPA spokespersons declined to comment for the record.

Sean

---

**From:** Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]  
**Sent:** Wednesday, December 20, 2017 9:33 AM  
**To:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: D. C. Circuit order on remaining attainment designations for 2015 ozone NAAQS

Hey Sean, attributable to an EPA spokesperson:

EPA is reviewing the order.

EPA has already taken action to designate 85 percent of the country as meeting the standards, and is in the process of working with states to designate the remaining areas.

On Dec 20, 2017, at 9:10 AM, Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)> wrote:

Hello:

Let me know if you have any comment on the attached order, requiring EPA to report by Jan. 12 when it will file a final rule that establishes the remaining designations. My deadline is 11:45 this morning.



Thanks,  
Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP)

 (Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

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<Courtorderozoneattainment.pdf>

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/19/2017 5:20:56 PM  
**To:** Eric Taub [eric@taub.com]; Ex. 6 Personal Privacy (PP)  
**CC:** Press [Press@epa.gov]  
**Subject:** Subject: Re: From NY Times: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Eric, for attribution to "an EPA spokesperson," please:

**Answer:** For the fuel economy label, today all manufacturers are required to test the vehicle with the high octane Tier 2 test fuel (E0 high octane gasoline). As discussed in EPA's Tier 3 final rule, EPA intends to transition manufacturers to the E10/87 octane fuel for the fuel economy label through a future rulemaking, and under that future approach EPA believes manufacturers would have the ability to use the E10/91 octane fuel for premium fuel only vehicles.

**More detail:** As a result of the Tier 3 vehicle and gasoline fuel rulemaking, for criteria pollutant emissions testing companies are required to use an E10, 87 octane test fuel, **unless** the manufacturer conditions the warranty on the use of premium fuel, then the vehicle must be labeled as "premium fuel only", and then the manufacturer can test the vehicle for criteria pollutant emissions using an E10, 91 octane test fuel. More information on the Tier 3 Final rule is here: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-control-air-pollution-motor-vehicles-tier-3>

---

**From:** Eric Taub [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Thursday, December 14, 2017 5:47 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** eric@taub.com; Press <Press@epa.gov>  
**Subject:** Re: From NY Times: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Thanks. One thing not clear: can a test use  
High octane if the vehicle doesn't require it AND the test is for fuel economy NOT for emissions?

from my iPhone

On Dec 14, 2017, at 14:29, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Eric, attributable to an EPA spokesperson:

**Tailpipe and Evaporative Emission Testing** - Although EPA used to test light-duty gasoline-fueled vehicles using EPA unleaded gasoline or California Phase II test fuel (neither of which contains ethanol), the final rule for Tier 3 emission standards updated the federal emissions test fuel to contain E10 to better match today's in-use gasoline. The Tier 3 requirements went into effect beginning with the 2017 model year vehicles and are being phased in from 2017 to 2019 model years. Beginning with the 2020 model year, almost all gasoline vehicles will be tested for emissions on Tier 3 or LEV3 (E10) gasoline. The Tier 3 test fuel specifications, which can be found at 40 CFR 86.113 and 40 CFR 1065.710(a) (Table 1), apply to Tier 3 new vehicle certification, assembly line, and in-use testing. For more information about EPA's Tier 3 emission requirements, please visit <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-control-air-pollution-motor-vehicles-tier-3>.

**Fuel Economy Testing** - Although Tier 3 vehicles are required to be tested on E10 test fuel for tailpipe and evaporative emissions beginning with the 2017 model year, EPA has not yet developed procedures to calculate fuel economy (mpg)

values for vehicles tested on E10 test fuel. EPA is currently working on a rulemaking which will propose regulations to calculate fuel economy (mpg) values for vehicles tested on E10 test fuel. Thus, we expect that E10 test fuel will soon be required for fuel economy testing (similar to EPA Tier 3 emission testing requirements), e.g. beginning with 2020 model year vehicles.

For fuel economy testing, EPA's test fuel for light-duty gasoline-fueled vehicles does not currently contain ethanol or other oxygenates. However, EPA does account for the impact of low-level ethanol blends in our fuel economy estimates. Ethanol has a lower energy density than gasoline—about 1/3 less energy per gallon. That means a car operating on E10 (10 percent ethanol and 90 percent gasoline) would require about 3 percent more fuel to travel one mile than a car operating on gasoline and thus have about 3 percent lower fuel economy. EPA adjusts the fuel economy label estimates downward by about 10-15 percent (city) and 25-30 percent (highway) to account for a variety of factors that are not currently accounted for during laboratory fuel economy testing, such as tire under-inflation, wind, hills, vehicle speeds and road conditions. It also includes a 1.5 percent downward adjustment to account for the average national ethanol content.

Vehicles that are going to be sold in California or States that have adopted California emission standards must be certified to meet California's emission standards. The Vehicle Emissions Control Information (VECI) label, found under the hood of all cars and light-trucks, will list if the vehicle is certified to meet California emission standards.) Vehicles certified to meet California LEV3 emission standards for 2015 to 2025 model years are required to be tested for tailpipe emissions using E10 test fuel. (For more information, please visit [www.arb.ca.gov/msprog/levprog/leviii/leviii.htm](http://www.arb.ca.gov/msprog/levprog/leviii/leviii.htm).)

**Octane Requirements of EPA Test Fuel** – Prior to 2017 model year, EPA emission and fuel economy testing was performed on E0 high octane gasoline test fuel.

**For Emission Testing:** Beginning with the 2017 model year (and being phased in from 2017 to 2019 model years), EPA emission testing will be performed on Tier 3 E10 low octane or California LEV3 E10 low octane gasoline test fuel. High octane E10 gasoline test fuel may be used for emission testing only for vehicles which the manufacturer conditions the vehicle warranty on the use of high octane (premium grade) gasoline.

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**From:** Eric Taub [<mailto:eric@taub.com>]

**Sent:** Monday, December 11, 2017 2:39 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** From NY Times: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Hello Robert,

Further to our brief chat, I'd like to know if a vehicle manufacturer, when testing a model for fuel efficiency standards, needs to use a specific octane grade of fuel in the tests.

For example if one vehicle only "recommends" as opposed to "requires" 91 octane fuel, can they use 87 octane in the test?

Similarly if a vehicle says only 87 octane fuel is required, can they use 91 octane fuel, as a way perhaps to boost their stated fuel economy numbers?

As I mentioned I'm also considering expanding my piece to include a general précis as to how fuel efficiency is tested in general, but we can talk about that in the coming days.

Thanks,  
Eric Taub  
NY Times  
Eric Taub

<image001.jpg>

[eric@taub.com](mailto:eric@taub.com)

ph: 818/707-1080

cell: Ex. 6 Personal Privacy (PP)

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/19/2017 4:16:33 PM  
**To:** Klein, Andrew [AKlein@Scholastic.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Press Inquiry from Scholastic Science World

Andrew, for attribution to U.S. EPA or to "an agency spokesperson," please:

## Toxic Waste

- How has the EPA changed how we regulate radioactive waste? Why is it important that we prevent radioactive waste from entering our environment?

EPA has not changed how radioactive waste is regulated. In fact, radioactive waste management and disposal is primarily regulated by the Department of Energy (DOE) or the Nuclear Regulatory Commission (NRC). The NRC typically regulates radioactive waste from commercial and non-DOE facilities, while the DOE regulates radioactive waste from DOE facilities. States also may have regulations that apply to radioactive waste. Radioactive waste and materials must be managed safely to ensure protection of public health and the environment.

A waste that has a hazardous waste component (e.g., a waste solvent) mixed together with a radioactive waste component is called a mixed waste and is regulated under both the Resource Conservation and Recovery Act (RCRA) and the Atomic Energy Act

For more information on Mixed Radiological and Hazardous Waste, visit <https://www.epa.gov/hw/defining-hazardous-waste-listed-characteristic-and-mixed-radiological-wastes#mixed>

## Air:

- Why is it important that the EPA regulate air safety? How does it help people's health and the environment?
- What was the importance of the Clean Air Act?

Here are a couple of sites you may want to look at for a start for the air questions

The Plain English Guide to the Clean Air Act

<https://www.epa.gov/sites/production/files/2015-08/documents/peg.pdf>

Also, for younger children (3<sup>rd</sup> & 4<sup>th</sup> grades), there's some information here:  
[https://www.airnow.gov/index.cfm?action=aqikids\\_home.index](https://www.airnow.gov/index.cfm?action=aqikids_home.index)

- How does the EPA work with companies and communities to improve air quality? Ex. Car companies and regulating leaded gas and approving catalytic converters.

- Please comment on the EPA's measures to enact behavioral change in the public, like promoting the use of mass transportation and carpooling to reduce pollution.

We invite you to consult the following web link, and would be happy to answer any follow-ups. Our general info for mobile source emissions, vehicles and fuel can be found here: <https://www.epa.gov/air-pollution-transportation>

For younger children, we have a great resource called, "The Magic School Bus gets Cleaned Up." There was a blog written about it – the book can also be accessed through this link <https://blog.epa.gov/blog/tag/magic-school-bus/>

More specifically, we would like to highlight our community based programs such as SmartWay, Diesel Emission Reduction Act (DERA), and the Ports Initiative:

SmartWay: <https://www.epa.gov/smartway/learn-about-smartway>

DERA: <https://www.epa.gov/cleandiesel>

Ports: <https://www.epa.gov/ports-initiative>

## **Water:**

- Before the Clean Water Act and the Safe Drinking Water Act what was happening to America's waterways?

40 years ago, America's drinking water in a much different state than today. Sewage, chemicals and trash were frequently dumped into our rivers, lakes and oceans, polluting our sources of drinking water. We lacked the authority, science, technology and funding to properly address the problems. The 1962 drinking water standards regulated 28 substances but in 1969, only 60 percent of the systems delivered water that met those standards. Additionally, over half of the treatment facilities had major deficiencies involving disinfection, clarification, or pressure in the distribution system.

For more information, Please go to the EPA web page at: <https://www.epa.gov/sdwa>

- Can you please briefly explain how these acts works to keep drinking water safe though source water protection, treatment, distribution, system integrity, and public information?

Through implementation of the Safe Drinking Water Act, we've improved public health protection from bacteria, arsenic, lead, disinfectants and disinfection byproducts. Today, we have more than 90 national drinking water standards and over 91% of all drinking water systems across the U.S. meet all of the health based standards all of the time.

The function of EPA's Office of Ground Water and Drinking Water is to ensure that your drinking water is safe and clean for you and your family. We assess contaminants, develop necessary regulations, and provide technical and financial support to states and local communities to make sure that we are successful in the important work. Finally, we assure, in partnership with states, that water systems provide citizens with information that can enable the public to learn more about your drinking water.

For more information, Please go to the EPA web page at: <https://www.epa.gov/aboutepa/about-office-water#ground>

- How does the EPA monitor wastewater from companies, water treatment plants to make sure chemicals aren't being released into the environment?

For companies that discharge wastewater to U.S. rivers, lakes, estuaries and coastal marine waters, or to local sewage treatment plants, EPA sets national regulatory standards according to the type of industry that is discharging. The standards set the minimum types of treatment technology or other pollution control techniques that the companies must use to help clean the wastewater before it is discharged.

- How does has the EPA's involvement in cleaning up oil spills impacted negative environmental effects?

One of EPA's top priorities is to help the nation be better prepared to respond to oil and fuel spills that threaten public health and natural ecosystems. These include spills over land, underground, within lakes, rivers and oceans. The EPA maintains teams of highly trained personnel (emergency responders) who are charged with cleanup and removal during hazardous substance releases like oil spills. During this remediation (reversing or stopping environmental damage) of oil, the health and ecological hazards of spilled oil must be considered. Depending on the location of spills, it can be challenging to remove oil quickly or entirely from the environment. Some of the potential effects of this include the contamination of drinking water, compromised agriculture, environmental impacts on ecosystems, among others. In these instances, emergency responders work closely with scientific researchers to not only remediate the oil, but also conduct environmental monitoring and restoration (the process in which a damaged resource is renewed). EPA researchers conduct extensive research to mitigate the effects of past and future oil spills that can harm human health and the environment. The Agency's oil spill research includes decades-long monitoring of the impacts of spilled oil. The research includes long-term effects from the 1989 *Exxon Valdez* incident, and more recently the technical support in the 2010 oil spills in the Kalamazoo River Enbridge pipeline and the Gulf of *Mexico Deepwater Horizon*.

Agency researchers and their partners maintain a robust research program designed to advance safer, more effective, and more efficient response technologies, approaches, and guidelines. They develop tools and methods to assess and remediate contamination, investigate factors determining transport and environmental fate (or behavior after its been released into the environment), and research ecological and human health impacts of spilled oils. Recent research includes:

- Determining the toxicity of oil types to different aquatic species.
- Chemical characterization of oil types for rapid assessment of source oil during spills.
- Investigating the effectiveness of oil spill cleanup agents in different environments.
- Utilizing computational toxicology to assess the potential environmental and health impacts of oil and spill cleanup agents.
- Determining natural biodegradation (a process by which microorganisms break down complex compounds into simpler products) rates of various oils in water and sediments.
- Testing emergency response and clean up protocols.
- Developing innovative techniques using satellites and underwater sensors to detect oil when it cannot be seen by human eye.

Agency researchers' findings are made available to support EPA regional offices, states, and others involved in oil spill emergency response planning. The EPA's role in oil spills is determined by law under the federal statute through the Oil Pollution Act and the National Oil and Hazardous Substances Pollution Contingency Plan.

For more information, please visit the following websites:

- Oil Spills Research: <https://www.epa.gov/land-research/oil-spills-research>

- Lead poisoning has been a recent issue in the U.S., in places like Flint, MI. Can you please explain how this was an even larger issue before EPA regulations and what is being done now to continue to improve our infrastructure and testing for lead?

Protecting children's health is one of EPA's highest priorities and the agency continues to engage with stakeholders and assess recommendations from leading scientific experts. These steps will help ensure that any potential revisions to the lead and copper drinking water standards reflect the best available information and latest science so that we can provide all Americans these important public health protections.

EPA continues to work with primacy agencies to ensure that the LCR is being properly and effectively implemented. Working with states, public water systems, and other water sector stakeholders, EPA and our partners are identifying challenges and promoting best practices. As a result of these efforts, EPA has developed and is providing recommendations regarding optimal corrosion control treatment, source water changes, and sampling and monitoring that, when utilized, will support states and utilities in their efforts to reduce lead concentrations in our nation's drinking water. Additionally, EPA has held webinars and in-person trainings on the lead and copper rule and improving and optimizing corrosion control. Through these outreach and training activities, we have reached over 800 state regulators, water system operators, and technical assistance providers. Moving forward, EPA remains committed to working with our stakeholders, including our state partners, to address and reduce the public health risks associated with lead in drinking water.

For more information, Please go to the EPA web page at: <https://www.epa.gov/dwreginfo/lead-and-copper-rule>

**Other information:**

EPA's National Service Center for Environmental Publications (<https://www.epa.gov/nscep>) is the best place to order hardcopy resources from EPA. The service center ships EPA materials at low/no cost and has a variety of resources for children on various environmental issues. NSCEP also curates specialized order forms for teachers, which list samples of products for children of different ages: <https://www.epa.gov/nscep/teacher-order-forms-epa-environmental-materials>

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**From:** Klein, Andrew [mailto:AKlein@Scholastic.com]  
**Sent:** Tuesday, December 19, 2017 10:20 AM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Subject:** Re: Press Inquiry from Scholastic Science World

Hi Robert,

Could you please send me what you have so far? I need to have my story done by tomorrow and will use whatever you can offer at this point.

Thank you!

Best,  
Andrew

---

**From:** Andrew Klein <AKlein@scholastic.com>  
**Date:** Monday, December 18, 2017 at 10:46 AM  
**To:** "Daguiard, Robert" <Daguiard.Robert@epa.gov>  
**Subject:** Re: Press Inquiry from Scholastic Science World

Wow, great. Thanks!



---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Monday, December 18, 2017 at 10:45 AM  
**To:** Andrew Klein <[AKlein@scholastic.com](mailto:AKlein@scholastic.com)>  
**Subject:** RE: Press Inquiry from Scholastic Science World

Hullo Andrew,

We have responses from most of the program offices (four in all) to which we sent your questions. We hope to get you something towards the end of the day, but I'll let you know.

Thanks for your patience, R.

---

**From:** Klein, Andrew [<mailto:AKlein@Scholastic.com>]  
**Sent:** Monday, December 18, 2017 10:13 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Press Inquiry from Scholastic Science World

Hi Robert,

Just following up to see when I should expect answers.

Thank you!

Best,  
Andrew

---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Tuesday, December 12, 2017 at 4:27 PM  
**To:** Andrew Klein <[AKlein@scholastic.com](mailto:AKlein@scholastic.com)>  
**Subject:** RE: Press Inquiry from Scholastic Science World

Thanks, Andrew. Our responses will almost certainly be written, to be honest.

---

**From:** Klein, Andrew [<mailto:AKlein@Scholastic.com>]  
**Sent:** Tuesday, December 12, 2017 4:23 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Press Inquiry from Scholastic Science World

I think I'll be able to get a small extension after everything we've been through over here, so please just let me know the soonest I can speak. Thank you!

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Tuesday, December 12, 2017 4:21:13 PM  
**To:** Klein, Andrew  
**Subject:** RE: Press Inquiry from Scholastic Science World

Hullo Andrew,

Yes, I have indeed received your questions and have forwarded them to my colleagues.

The end of this week is a rather tight deadline, but we will get you good info.

Above all, I hope you get better soon.

Regards, R.

---

**From:** Klein, Andrew [<mailto:AKlein@Scholastic.com>]  
**Sent:** Tuesday, December 12, 2017 4:18 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Press Inquiry from Scholastic Science World

Hi Robert,

Just making sure you received my previous email.

Thanks,  
Andrew

---

**From:** Klein, Andrew  
**Sent:** Tuesday, December 12, 2017 8:55:13 AM  
**To:** Daguillard, Robert  
**Subject:** Re: Press Inquiry from Scholastic Science World

Hi Robert,

Now I am sick and home from work but I wanted to get you questions ASAP. I broke them down into three categories. Please let me know if you need anything more from me. I'm very anxious to get something set up. Some of these questions might seem to have obvious answers, but since we are a publication for students, it's important we get quotes on these things so they can read the expert opinions of authorities.

Thank you again for your help!

Best,  
Andrew

### **Pesticides/Toxic Chemicals:**

What consequences could we face without regulation of harmful pesticides and toxin in our food supply and environment? How does the EPA enforce the regulations?

Please tell me about how regulating pesticides and toxins, like DDT, PCBs and CFCs, has helped improve the health of people and wildlife?

How has the EPA changed how we regulate radioactive waste? Why is it important that we prevent radioactive waste from entering our environment?

EPA enforces Asbestos Hazard Emergency Response Act to prevent the toxin in schools (and other buildings). Can you please tell me why this is important for the safety and health of students?

What were the effects to the environment before the regulation and if we let it continue what could have occurred?

**Air:**

Why is it important that the EPA regulate air safety? How does it help people's health and the environment?

What was the importance of the Clean Air Act?

How does the EPA work with companies and communities to improve air quality? Ex. Car companies and regulating leaded gas and approving catalytic converters.

Please comment on the EPA's measures to enact behavioral change in the public, like promoting the use of mass transportation and carpooling to reduce pollution.

**Water:**

Before the Clean Water Act and the Safe Drinking Water Act what was happening to America's waterways?

Can you please briefly explain how these acts works to keep drinking water safe though source water protection, treatment, distribution, system integrity, and public information?

How does the EPA monitor wastewater from companies, water treatment plants to make sure chemicals aren't being released into the environment?

How does has the EPA's involvement in cleaning up oil spills impacted negative environmental effects?

Lead poisoning has been a recent issue in the U.S., in places like Flint, MI. Can you please explain how this was an even larger issue before EPA regulations and what is being done now to continue to improve our infrastructure and testing for lead?

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Monday, December 11, 2017 3:35:47 PM  
**To:** Klein, Andrew  
**Subject:** RE: Press Inquiry from Scholastic Science World

Hey Andrew,

First, and most importantly, **Ex. 6 Personal Privacy (PP)**

The program offices think it will be easier to route your inquiry to specific experts once we have your questions. Thanks in advance for getting back to me with those when you can.

Cheers, R.

---

**From:** Klein, Andrew [<mailto:AKlein@Scholastic.com>]  
**Sent:** Monday, December 11, 2017 3:31 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Press Inquiry from Scholastic Science World

Hi Robert,

**Ex. 6 Personal Privacy (PP)** I have not had a chance to write any questions but wondering if you've ID'd someone for me to speak with.

Thank you again,  
Andrew

Sent from my iPhone

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**From:** Klein, Andrew  
**Sent:** Friday, December 8, 2017 9:41:14 AM  
**To:** Daguillard, Robert  
**Subject:** Re: Press Inquiry from Scholastic Science World

Sure - thanks!

Sent from my iPhone

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**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Friday, December 8, 2017 9:38:29 AM  
**To:** Klein, Andrew  
**Subject:** RE: Press Inquiry from Scholastic Science World

11:30?

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**From:** Klein, Andrew [<mailto:AKlein@Scholastic.com>]  
**Sent:** Friday, December 08, 2017 9:36 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Press Inquiry from Scholastic Science World

Could we actually do 11:30 or 12?

Sent from my iPhone

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**From:** Klein, Andrew  
**Sent:** Friday, December 8, 2017 9:21:43 AM  
**To:** Daguillard, Robert  
**Subject:** Re: Press Inquiry from Scholastic Science World

Sounds good thanks

Ex. 6 Personal Privacy (PP)

Sent from my iPhone

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**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Friday, December 8, 2017 9:20:59 AM  
**To:** Klein, Andrew  
**Subject:** RE: Press Inquiry from Scholastic Science World

A game plan. How best to go about getting you the info you need.

---

**From:** Klein, Andrew [<mailto:AKlein@Scholastic.com>]  
**Sent:** Friday, December 08, 2017 9:16 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Press Inquiry from Scholastic Science World

I can speak then - what would you like to discuss?

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Friday, December 8, 2017 9:05:57 AM  
**To:** Klein, Andrew  
**Subject:** RE: Press Inquiry from Scholastic Science World

Thanks, Andrew, That's a pretty tight window. I'll ask the relevant program offices, but I'm beginning to think they're more likely to respond to you in writing – their decision, anyway, not mine.

Should we talk this AM? 11 or so Eastern?

---

**From:** Klein, Andrew [<mailto:AKlein@Scholastic.com>]  
**Sent:** Friday, December 08, 2017 9:00 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Press Inquiry from Scholastic Science World

I don't need to speak with all 4 at once. In fact, I'd prefer to speak with them individually. My deadline is 12/18 so I would need to complete my interviews by 12/14 so I have a couple of days in the office to write. And it doesn't need to be 4 people - I was just suggesting that based on your initial feedback. I can also speak with a policymaker or historical expert who can speak to me generally about these topics.

Sent from my iPhone

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**From:** Daguillard, Robert <[daguillard.robert@epa.gov](mailto:daguillard.robert@epa.gov)>  
**Sent:** Friday, December 8, 2017 8:55 AM

Subject: RE: Press Inquiry from Scholastic Science World  
To: Klein, Andrew <[aklein@scholastic.com](mailto:aklein@scholastic.com)>

Thanks, Andrew,

It might prove a bit of a logistical lift to schedule four people for an interview, to be quite honest. Let me think about it. Are you, say, aiming to get this done before the holidays, or are you on no hard deadline?

---

**From:** Klein, Andrew [<mailto:AKlein@Scholastic.com>]  
**Sent:** Friday, December 08, 2017 8:51 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Press Inquiry from Scholastic Science World

Thanks for getting back to me so quickly. I'd likely like to speak with 4 experts - each who could talk to each of the major areas.

See below for the major examples. It is a long list but we don't need to dig so deep. We just want to make students of today realize that their environment would be much different looking and more dangerous/unhealthy if it weren't for the EPA. Most students are unaware that the government works "behind the scenes" to keep them and the planet healthy. The "formula" for this story will be simple and short for each of these: What was the problem in the environment that was discovered? And how did the EPA work to fix/improve it?

The famous example of DDT and relationship to cancer in people and Bald Eagle death/other pesticides  
Removing mercury/lead from the environment  
Clean Air Act - including phasing out leaded gasoline, approval of catalytic converter, other regulations to transportation, such as increased public transportation in major cities, regulating car emissions  
Ocean Dumping Act/Oil Spill Clean up  
Safe Drinking Water Act  
Nuclear Waste Act  
Jet Plane Noise Control  
Reducing CFCs  
Removing PCBs from environment  
Superfund Program to hold polluters accountable  
Asbestos Testing in Schools  
Wetlands protection  
Medical Waste Tracking Act  
Radon Testing  
Pollution Protection Act/Other preventive pollution policies and air quality controls to reduce greenhouse gases

Thank you!

Best,  
Andrew

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Sent:** Thursday, December 7, 2017 3:19:40 PM

**To:** Klein, Andrew

**Subject:** RE: Press Inquiry from Scholastic Science World

Good afternoon Andrew,

Thanks for reaching out. Of course, you probably know EPA regulates a vast amount of environmental subject matter. Air, water, pesticides and toxic chemicals, and toxic waste, are our four major areas of activity. It's hard for me to think of a scientist who could address all these subjects simultaneously.

We'd probably best be able to help you if you could narrow down the focus of your inquiry and send as specific a set of questions as possible. I'm happy to chat if that helps clarify our needs – and the way we could process your request.

Regards, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Klein, Andrew [<mailto:AKlein@Scholastic.com>]

**Sent:** Thursday, December 07, 2017 2:55 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Press Inquiry from Scholastic Science World

Dear Robert,

My name is Andrew Klein and I am an editor for Scholastic Science World magazine. I am writing a story about the history and importance of the EPA and would like to speak with an expert – either a scientist or an expert about how the EPA has worked to improve the environment in specific, scientifically measurable ways.

I would like to speak with someone by mid next week by phone.

Thank you for your help.

Best,  
Andrew

--

Andrew Klein  
Editor  
*Science Spin 3-6*  
Contributing Editor  
*Science World*  
212-343-6407  
[aklein@scholastic.com](mailto:aklein@scholastic.com)

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/19/2017 3:05:57 PM  
**To:** Rene Ebersole [Ex. 6 Personal Privacy (PP)]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Comment for Monday article on pyrethroids

Rene, the following listserv, issued yesterday, should be helpful:

---

Glyphosate

### **EPA Pesticide Program Updates**

*From EPA's Office of Pesticide Programs*

[www.epa.gov/pesticides](http://www.epa.gov/pesticides)

December 18, 2017

#### **In This Update:**

#### **EPA Releases Draft Risk Assessments for Glyphosate**

The U.S. Environmental Protection Agency (EPA) is releasing for public comment the draft human health and ecological risk assessments for glyphosate, one of the most widely used agricultural pesticides in the United States.

The draft human health risk assessment concludes that glyphosate is not likely to be carcinogenic to humans. The Agency's assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency's scientific findings are consistent with the conclusions of science reviews by a number of other countries as well as the 2017 National Institute of Health Agricultural Health Survey.

EPA's human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-



depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

The ecological risk assessment indicates that there is potential for effects on birds, mammals, and terrestrial and aquatic plants. EPA used the most current risk assessment methods, including an evaluation of the potential effects of glyphosate exposure on animals and plants. Full details on these potential effects as well as the EPA's methods for estimating them, can be found within the ecological risk assessment.

To read the draft risk assessments and supporting documents, go to [www.epa.gov/ingredients-used-pesticide-products/draft-human-health-and-ecological-risk-assessments-glyphosate](http://www.epa.gov/ingredients-used-pesticide-products/draft-human-health-and-ecological-risk-assessments-glyphosate). The draft risk assessments and supporting documents will be available in glyphosate's registration review docket EPA-HQ-OPP-2009-0361 on [www.regulations.gov](http://www.regulations.gov) in early 2018. EPA will open a 60-day public comment period for the draft risk assessments, evaluate the comments received, and consider any potential risk management options for this herbicide.

EPA is scheduled to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Dec 14, 2017, at 3:02 PM, Rene Ebersole <Ex. 6 Personal Privacy (PP)> wrote:

Thanks for your email. This piece about consumer exposure to pesticides is for Prevention Magazine. Deadline is next Tuesday.

On Thu, Dec 14, 2017 at 2:30 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Rene,

What's your deadline, please? Also, what outlet(s) are you researching a story, or series, for? Or are you just looking for subject matter background?

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Rene Ebersole [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]

**Sent:** Thursday, December 14, 2017 2:25 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: FW: Comment for Monday article on pyrethroids

Hi Robert,

Thanks for your comment about pyrethroids. I'm working on another story about glyphosate, this time for Prevention. Can you please provide the latest statement on glyphosate? Basically the same type of info that you sent on pyrethroids?

Also, if possible, a quick explanation of why the EPA's previous determinations about the carcinogenicity of glyphosate vary from IARC's. Your agency considers different types of data, correct?

Thanks for getting back to me. Unfortunately, the pyrethroid story was published before I heard from you. I'd really like to have some input from the EPA for this Prevention article.

Best,

Rene

----- Forwarded message -----

From: **Daguillard, Robert** <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

Date: Mon, Nov 27, 2017 at 10:46 AM  
Subject: FW: Comment for Monday article on pyrethroids  
To: Rene Ebersole <Ex. 6 Personal Privacy (PP)>  
Cc: Press <Press@epa.gov>

Rene, with apologies for the late response, and for attribution to "an EPA spokesperson," please:

EPA is considering the EWG and other comments that were submitted on EPA's draft human health risk assessments as part of the open comment period for certain pyrethrins and pyrethroids. The pyrethroid class of pesticides is currently being re-evaluated as part of the ongoing registration review program. The comment period closed on November 13, 2017 (see docket EPA-HQ-OPP-2011-0039-0083 at [www.regulations.gov](http://www.regulations.gov)). EPA is currently assessing the comments received and will determine whether any risk management is needed. Over the course of 2018, the agency expects to release the remaining draft pyrethroid human health risk assessments for public comment. More information about the status of the pyrethroid re-evaluation can be found at: <https://www.epa.gov/ingredients-used-pesticide-products/pyrethrins-and-pyrethroids#reg%20review>.

Very best, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**Rene Ebersole**

Science Journalist/Contributing Editor *Audubon* magazine

Adj. Professor of Journalism, New York University

[reenebersole.com/](http://reenebersole.com/) @rebersole

--

**Rene Ebersole**

Science Journalist/Contributing Editor *Audubon* magazine

Adj. Professor of Journalism, New York University

[reenebersole.com/](http://reenebersole.com/) @rebersole

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/19/2017 3:04:58 PM  
**To:** Press [Press@epa.gov]  
**Subject:** Fwd: Comment for Monday article on pyrethoids

Will send the reporter the listserv the program issued yesterday.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

Begin forwarded message:

**From:** Rene Ebersole <Ex. 6 Personal Privacy (PP)>  
**Date:** December 14, 2017 at 3:00:15 PM EST  
**To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Subject:** Re: FW: Comment for Monday article on pyrethoids

Thanks for your email. This piece about consumer exposure to pesticides is for Prevention Magazine. Deadline is next Tuesday.

On Thu, Dec 14, 2017 at 2:30 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Rene,

What's your deadline, please? Also, what outlet(s) are you researching a story, or series, for? Or are you just looking for subject matter background?

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Rene Ebersole [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]  
**Sent:** Thursday, December 14, 2017 2:25 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: FW: Comment for Monday article on pyrethroids

Hi Robert,

Thanks for your comment about pyrethroids. I'm working on another story about glyphosate, this time for Prevention. Can you please provide the latest statement on glyphosate? Basically the same type of info that you sent on pyrethroids?

Also, if possible, a quick explanation of why the EPA's previous determinations about the carcinogenicity of glyphosate vary from IARC's. Your agency considers different types of data, correct?

Thanks for getting back to me. Unfortunately, the pyrethroid story was published before I heard from you. I'd really like to have some input from the EPA for this Prevention article.

Best,

Rene

----- Forwarded message -----

**From:** **Daguillard, Robert** <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Mon, Nov 27, 2017 at 10:46 AM  
**Subject:** FW: Comment for Monday article on pyrethroids  
**To:** Rene Ebersole <[Ex. 6 Personal Privacy \(PP\)](#)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

Rene, with apologies for the late response, and for attribution to "an EPA spokesperson," please:

EPA is considering the EWG and other comments that were submitted on EPA's draft human health risk assessments as part of the open comment period for certain pyrethrins and pyrethroids. The pyrethroid class of pesticides is currently being re-evaluated as part of the ongoing registration review program. The comment period closed on November 13, 2017 (see docket EPA-HQ-OPP-2011-0039-0083 at [www.regulations.gov](http://www.regulations.gov)). EPA is currently assessing the

comments received and will determine whether any risk management is needed. Over the course of 2018, the agency expects to release the remaining draft pyrethroid human health risk assessments for public comment. More information about the status of the pyrethroid re-evaluation can be found at: <https://www.epa.gov/ingredients-used-pesticide-products/pyrethrins-and-pyrethroids#reg%20review>.

Very best, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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Rene Ebersole

Science Journalist/Contributing Editor *Audubon* magazine

Adj. Professor of Journalism, New York University

[reenebersole.com/](http://reenebersole.com/) @rebersole

--

**Rene Ebersole**

Science Journalist/Contributing Editor *Audubon* magazine

Adj. Professor of Journalism, New York University

[reenebersole.com/](http://reenebersole.com/) @rebersole



Message

---

**From:** Slattery, Denis [DSlattery@nydailynews.com]  
**Sent:** 12/27/2017 8:27:45 PM  
**To:** Daguiard, Robert [Daguiard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Lead paing ruling

Thanks. I appreciate the quick response.

Denis Slattery  
New York Daily News  
o: 212-210-1745  
C: Ex. 6 Personal Privacy (PP)  
@slatterynydn

---

**From:** Daguiard, Robert [Daguiard.Robert@epa.gov]  
**Sent:** Wednesday, December 27, 2017 3:24 PM  
**To:** Slattery, Denis  
**Cc:** Press  
**Subject:** RE: Lead paing ruling

Denis, for attribution to "an EPA spokesperson," please:

EPA is reviewing the Ninth Circuit's decision to grant the petition for a writ of mandamus.

Lead exposure remains a significant health threat to children, and EPA will continue to work diligently on a number of fronts to address issues surrounding childhood lead exposure from multiple sources.

Regards, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguiard, Robert  
**Sent:** Wednesday, December 27, 2017 2:57 PM  
**To:** Slattery, Denis <DSlattery@nydailynews.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Lead paing ruling

Hey Denis,

A quick word to acknowledge receipt. Thanks, R.

---

**From:** Slattery, Denis [<mailto:DSlattery@nydailynews.com>]  
**Sent:** Wednesday, December 27, 2017 2:43 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Lead paing ruling

Good afternoon,

Denis Slattery from the New York Daily News here.

I wanted to know if there would be any comment from the EPA regarding the 9th Circuit's ruling on Wednesday regarding federal lead paint rules.

Regards,

Denis

Denis Slattery

New York Daily News

o: 212-210-1745

C: Ex. 6 Personal Privacy (PP)

@slatterynydn

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\*\*\*\*\* (NJ)

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\*\*\*\*\* (NJ)

Message

---

**From:** Timothy Cama [tcama@thehill.com]  
**Sent:** 12/27/2017 8:25:55 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Lead paint decision

Thanks Robert.

--

Timothy Cama, Staff writer  
The Hill  
(202) 695-6245  
Secure: [timothy.cama@protonmail.com](mailto:timothy.cama@protonmail.com)

On Wed, Dec 27, 2017 at 3:24 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Tim, for attribution to "an EPA spokesperson," please:

EPA is reviewing the Ninth Circuit's decision to grant the petition for a writ of mandamus.

Lead exposure remains a significant health threat to children, and EPA will continue to work diligently on a number of fronts to address issues surrounding childhood lead exposure from multiple sources.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Timothy Cama [mailto:[tcama@thehill.com](mailto:tcama@thehill.com)]  
**Sent:** Wednesday, December 27, 2017 1:45 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Lead paint decision

Hi-

Did you want to comment on today's court ruling on the lead paint standard out of the Ninth Circuit? <http://cdn.ca9.uscourts.gov/datastore/opinions/2017/12/27/16-72816.pdf>

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: [timothy.cama@protonmail.com](mailto:timothy.cama@protonmail.com)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/27/2017 8:25:48 PM  
**To:** Egelko, Robert [BEgelko@sfchronicle.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Ninth Circuit lead paint ruling

Robert, for attribution to "an EPA spokesperson," please:

EPA is reviewing the Ninth Circuit's decision to grant the petition for a writ of mandamus.

Lead exposure remains a significant health threat to children, and EPA will continue to work diligently on a number of fronts to address issues surrounding childhood lead exposure from multiple sources.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, December 27, 2017 2:01 PM  
**To:** Egelko, Robert <BEgelko@sfchronicle.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Ninth Circuit lead paint ruling

Let me check.

---

**From:** Egelko, Robert [<mailto:BEgelko@sfchronicle.com>]  
**Sent:** Wednesday, December 27, 2017 1:54 PM  
**To:** Press <[Press@usdoj.gov](mailto:Press@usdoj.gov)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Ninth Circuit lead paint ruling

Any comment on today's Ninth Circuit ruling, in *In re A Community Voice vs EPA*, requiring the EPA to issue new rules tightening standards for lead paint exposure?

Bob Egelko  
San Francisco Chronicle  
415-777-7617

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/27/2017 8:24:57 PM  
**To:** Slattery, Denis [DSlattery@nydailynews.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Lead paing ruling

Denis, for attribution to "an EPA spokesperson," please:

EPA is reviewing the Ninth Circuit's decision to grant the petition for a writ of mandamus.

Lead exposure remains a significant health threat to children, and EPA will continue to work diligently on a number of fronts to address issues surrounding childhood lead exposure from multiple sources.

Regards, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, December 27, 2017 2:57 PM  
**To:** Slattery, Denis <DSlattery@nydailynews.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Lead paing ruling

Hey Denis,

A quick word to acknowledge receipt. Thanks, R.

---

**From:** Slattery, Denis [mailto:DSlattery@nydailynews.com]  
**Sent:** Wednesday, December 27, 2017 2:43 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Lead paing ruling

Good afternoon,  
Denis Slattery from the New York Daily News here.  
I wanted to know if there would be any comment from the EPA regarding the 9th Circuit's ruling on Wednesday regarding federal lead paint rules.

Regards,  
Denis

Denis Slattery  
New York Daily News

o: 212-210-1745

C: Ex. 6 Personal Privacy (PP)

@slatteryndn

-----

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\*\*\*\*\* (NJ)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/27/2017 8:23:39 PM  
**To:** Friedman, Lisa [lisa.friedman@nytimes.com]  
**CC:** Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: lead paint ruling

Lisa, for attribution to "an EPA spokesperson," please:

EPA is reviewing the Ninth Circuit's decision to grant the petition for a writ of mandamus.

Lead exposure remains a significant health threat to children, and EPA will continue to work diligently on a number of fronts to address issues surrounding childhood lead exposure from multiple sources.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Friedman, Lisa [mailto:lisa.friedman@nytimes.com]  
**Sent:** Wednesday, December 27, 2017 2:59 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>  
**Subject:** Re: lead paint ruling

tx!

On Wed, Dec 27, 2017 at 2:57 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Hey Lisa,

Quick word to acknowledge receipt.

Thanks, R.

Robert Daguillard

Office of Media Relations



U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Friedman, Lisa [mailto:[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)]

**Sent:** Wednesday, December 27, 2017 2:35 PM

**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** lead paint ruling

Hi folks. Can I get a comment on this 9th Circuit ruling on EPA's lead paint rules in the next hour or two? Tx much,

Lisa

--

Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

--

Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/26/2017 6:06:34 PM  
**To:** Gavin, Robert [rgavin@TimesUnion.com]; Deegan, Dave [Deegan.Dave@epa.gov]; Press [Press@epa.gov]; regionalpress [regionalpress@epa.gov]  
**CC:** Rowan, Anne [rowan.anne@epa.gov]; schaffer, joan [schaffer.joan@epa.gov]; Mears, Mary [Mears.Mary@epa.gov]; Harris-Young, Dawn [Harris-Young.Dawn@epa.gov]  
**Subject:** RE: Media Inquiry

Good afternoon and thanks, Robert – and to Dave for forwarding:

**For attribution to “an EPA spokesperson,” please:**

**The agency doesn’t comment on pending litigation.**

Thanks again, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Gavin, Robert [mailto:rgavin@TimesUnion.com]  
**Sent:** Tuesday, December 26, 2017 12:54 PM  
**To:** Deegan, Dave <Deegan.Dave@epa.gov>; Press <Press@epa.gov>; regionalpress <regionalpress@epa.gov>  
**Cc:** Rowan, Anne <rowan.anne@epa.gov>; schaffer, joan <schaffer.joan@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>  
**Subject:** RE: Media Inquiry

Thank you!

---

**From:** Deegan, Dave [mailto:Deegan.Dave@epa.gov]  
**Sent:** Tuesday, December 26, 2017 12:53 PM  
**To:** Gavin, Robert <rgavin@TimesUnion.com>; Press <Press@epa.gov>; regionalpress <regionalpress@epa.gov>  
**Cc:** Rowan, Anne <rowan.anne@epa.gov>; schaffer, joan <schaffer.joan@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>  
**Subject:** RE: Media Inquiry

Hi Robert,

I’m copying our colleagues in the EPA HQ press office, who will be able to let you know if EPA has a response on this matter.

Best Regards,  
Dave

~~~~~

Dave Deegan

U.S. EPA, New England Regional Office  
Media Relations | Social Media | Web Content  
phone: 617.918.1017 | mobile: Ex. 6 Personal Privacy (PP)  
email: [deegan.dave@epa.gov](mailto:deegan.dave@epa.gov)



---

**From:** Gavin, Robert [<mailto:rgavin@TimesUnion.com>]

**Sent:** Tuesday, December 26, 2017 12:36 PM

**To:** Mears, Mary <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>; Deegan, Dave <[Deegan.Dave@epa.gov](mailto:Deegan.Dave@epa.gov)>; schaffer, joan <[schaffer.joan@epa.gov](mailto:schaffer.joan@epa.gov)>; Harris-Young, Dawn <[Harris-Young.Dawn@epa.gov](mailto:Harris-Young.Dawn@epa.gov)>; Rowan, Anne <[rowan.anne@epa.gov](mailto:rowan.anne@epa.gov)>

**Subject:** Media Inquiry

Hi,

This is Robert Gavin, a reporter for the Times Union newspaper in Albany, N.Y.

I am looking to get an EPA response ASAP to this legal action (see release below) announced by the New York attorney general in connection with the AGs in seven other states.

Thank you!

Rob

**Robert Gavin**

**Courts/Legal Affairs reporter**

**Times Union**

**Albany, N.Y.**

**(518) 454-5064**

<http://www.timesunion.com/robertgavin/>

---

**From:** "A.G. Schneiderman Press Office" <[nysattorneygeneral@public.govdelivery.com](mailto:nysattorneygeneral@public.govdelivery.com)>

**Reply-To:** "[nysattorneygeneral@public.govdelivery.com](mailto:nysattorneygeneral@public.govdelivery.com)" <[nysattorneygeneral@public.govdelivery.com](mailto:nysattorneygeneral@public.govdelivery.com)>

**Date:** Tuesday, December 26, 2017 11:00 AM

**To:** mike <[tucitydesk@timesunion.com](mailto:tucitydesk@timesunion.com)>

**Subject:** A.G. SCHNEIDERMAN SUES TRUMP EPA TO PROTECT NEW YORKERS FROM OUT-OF-STATE AIR POLLUTION

### ***News from Attorney General Eric T. Schneiderman***

FOR IMMEDIATE RELEASE

December 26, 2017

Attorney General's Press Office / 212-416-8060

[nyag.pressoffice@ag.ny.gov](mailto:nyag.pressoffice@ag.ny.gov)

Twitter: @AGSchneiderman

# A.G. SCHNEIDERMAN SUES TRUMP EPA TO PROTECT NEW YORKERS FROM OUT-OF-STATE AIR POLLUTION

*AG Schneiderman Leads 8 AGs in Suit Challenging EPA's Refusal to Require Upwind States to Control Smog Pollution that Blows into New York and Northeast States*

*At Least One in Three New Yorkers Breathe Unhealthy Levels of Smog – Leading to Dire Health Issues*

NEW YORK – Attorney General Eric T. Schneiderman, leading a coalition of eight Attorneys General, filed a lawsuit today against the Trump Environmental Protection Agency (EPA) to force action under the Clean Air Act to ensure upwind states adequately control the pollution that blows into New York and other downwind states.

At least one in three New Yorkers breathe air with unhealthy levels of smog pollution, with some analyses placing it as high as two in three New Yorkers (approximately 12.7 million people). The EPA's own studies demonstrate that pollution from states upwind of New York contributes substantially to the state's harmful levels of smog.

"Millions of New Yorkers are breathing unhealthy air as smog pollution continues to pour in from other states," **Attorney General Schneiderman** said. "The federal government has a fundamental responsibility to act. Yet the Trump EPA has abandoned its responsibilities – repeatedly failing to act to control smog pollution that jeopardizes New Yorkers' health. Attorneys General will continue to act to protect those we serve."

Specifically, the suit challenges the EPA's denial of a petition that New York and several other states filed in late 2013 for the Agency to add nine additional states to the "Ozone Transport Region," a group of states established under the federal Clean Air Act that must act in concert to reduce smog pollution within the region.

Joining Attorney General Schneiderman in the suit are the Attorneys General of Connecticut, Delaware, Maryland, Massachusetts, Pennsylvania, Rhode Island, and Vermont.

Reducing smog levels is vital to protecting the health of New Yorkers. Elevated levels of smog can cause a host of significant health effects, including coughing, throat irritation, lung tissue damage, and the aggravation of existing medical conditions, such as asthma, bronchitis, heart disease, and emphysema. According to the American Lung Association's "2017 State of the Air Report," the New York City metropolitan area ranks as the 9<sup>th</sup> most smog-polluted city in the nation.

Congress created the Ozone Transport Region to help states address pervasive smog problems in the northeastern United States. By statute, the Region consists of 11 states – Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont – and the District of Columbia metropolitan area.

In December 2013, New York and other northeastern states submitted a petition under the Clean Air Act asking EPA to add nine additional states shown or projected through modelling and analysis to contribute to violations of federal smog standards in the Ozone Transport Region. These nine states are Illinois, Indiana, Kentucky, Michigan, North Carolina, Ohio, Tennessee, Virginia, and West Virginia. When EPA took no action on that petition, a coalition of states led by Attorney General Schneiderman filed suit against the EPA to compel it to act. Attorney General Schneiderman and the coalition of states subsequently negotiated a consent decree that required EPA to approve or

disapprove the petition no later than October 27, 2017. On that date, Trump EPA Administrator Pruitt denied the states' Ozone Transport Region petition.

Today's suit, which was filed in the U.S. Court of Appeals for the District of Columbia Circuit, asks the court to review Administrator Pruitt's denial of the petition. The coalition will ask the court to determine that the denial is unlawful and to vacate it.

### Ozone Transport Region

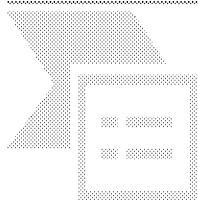
Each state within the Ozone Transport Region must develop and implement plans that achieve controls on pollutants that contribute to the formation of smog. However, despite enacting stringent in-state controls on sources of these pollutants, many states within the Region – including New York – are not able to meet federal health-based air quality standards for smog, significantly due to upwind smog pollution.

Modeling and analysis performed by EPA, as well as by states, has shown that interstate transport of air pollution from upwind states outside of the Ozone Transport Region –including Illinois, Indiana, Kentucky, Michigan, Ohio, Tennessee, Virginia, and West Virginia – contributes significantly to violations of the 2008 federal smog standard within the Ozone Transport Region. In addition, preliminary modeling demonstrates that emissions in these states, as well as North Carolina, are projected to contribute to violations of the recently updated 2015 federal smog standard in the Region.

States outside and upwind of the Region are not required to – and generally do not – impose controls as stringent as those required of those within the Region. However, the federal Clean Air Act provides for states to petition EPA to add states to the Ozone Transport Region, and for EPA to add states when the Agency has reason to believe that the interstate transport of air pollution from them significantly contributes to exceedances of the federal standards for smog in the Region.

This matter is being handled for the Attorney General's Environmental Protection Bureau by Assistant Attorney General Claiborne Walthall, Affirmative Section Chief Morgan A. Costello, and Senior Counsel Michael J. Myers. The Bureau is led by Bureau Chief Lemuel M. Srolovic and is part of the Division of Social Justice, which is led by Executive Deputy Attorney General for Social Justice Alvin Bragg.

###



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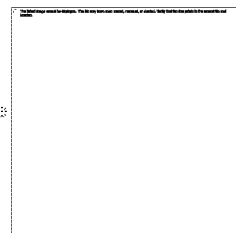


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Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/26/2017 5:23:24 PM  
**To:** McColl, Bill [Bill.McColl@FOXNEWS.COM]; Press [Press@epa.gov]  
**Subject:** RE: Reaction to Schneiderman lawsuit

Good afternoon Bill and thanks for reaching out.

**For attribution to "an EPA spokesperson," please:**

**The agency doesn't comment on pending litigation.**

Thanks again, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

---

**From:** McColl, Bill [mailto:Bill.McColl@FOXNEWS.COM]  
**Sent:** Tuesday, December 26, 2017 12:19 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Reaction to Schneiderman lawsuit

Hello: Could you please provide any reaction to the lawsuit filed by NY Attorney General Eric Schneiderman today (see below)? Thanks

Bill McColl  
Fox News Radio  
212-301-5800

AG Schneiderman Leads 8 AGs in Suit Challenging EPA's Refusal to Require Upwind States to Control Smog Pollution that Blows into New York and Northeast States

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#### Ozone Transport Region

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Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/22/2017 7:27:04 PM  
**To:** Stecker, Tiffany [tstecker@bloombergenvironment.com]; Press [Press@epa.gov]  
**Subject:** RE: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

Tiffany, for attribution to "an agency spokesperson," please:

EPA's April 2015 letters to registrants of neonicotinoid pesticides with outdoor uses informed them that the agency would likely not be in a position to approve most applications for new uses of these chemicals until new pollinator risk assessments have been completed. The letters did not prohibit registrants from filing new applications. In situations where new applications for new uses of neonicotinoids are submitted to the agency for review, consistent with statutory requirements, the agency issued a required notice in the Federal Register.

---

**From:** Stecker, Tiffany [mailto:tstecker@bloombergenvironment.com]  
**Sent:** Friday, December 22, 2017 10:38 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

A quick follow-up clarification request: If you are unable to consider these applications for new uses of neonicotinoids, why did you publish Syngenta's new use application for thiamethoxam in the Federal Register?

<https://www.regulations.gov/document?D=EPA-HQ-OPP-2017-0234-0001>

The risk assessments for pollinators released earlier this week (or last week) were preliminary, not final.

Many thanks,

Tiffany

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Friday, December 22, 2017 9:47 AM  
**To:** Stecker, Tiffany <tstecker@bloombergenvironment.com>; Press <Press@epa.gov>  
**Subject:** RE: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

Tiffany, for attribution to "an EPA spokesperson," please:

We will be able to consider applications for new uses of neonicotinoids once the registration review risk assessments for these compounds have been completed.

---

**From:** Stecker, Tiffany [mailto:tstecker@bloombergenvironment.com]  
**Sent:** Thursday, December 21, 2017 5:58 PM  
**To:** Press <Press@epa.gov>  
**Cc:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** FW: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

Hi Press team, Robert,



WASHINGTON— The U.S. Environmental Protection Agency will consider allowing the bee-killing pesticide thiamethoxam to be sprayed on the most widely grown crops in the United States. The application, if approved, would allow the highly toxic pesticide to be sprayed directly on 165 million acres of wheat, barley, corn, sorghum, alfalfa, rice and potato.

The proposal by the agrochemical giant Syngenta to dramatically escalate use of the harmful neonicotinoid pesticide came last Friday, on the same day the EPA released new assessments of the extensive dangers posed by neonicotinoids, including thiamethoxam.

“If the EPA grants Syngenta’s wish, it will spur catastrophic declines of aquatic invertebrates and pollinator populations that are already in serious trouble,” said Lori Ann Burd, director of the Center for Biological Diversity’s environmental health program. “You know the pesticide-approval process is broken when the EPA announces it will consider expanding the use of this dangerous pesticide on the same day its own scientists reveal that the chemical kills birds and aquatic invertebrates.”

Neonicotinoids have long been known to pose serious harm to bee populations. But the new EPA assessments found the commonly used pesticides can kill and harm birds of all sizes and pose significant dangers to aquatic invertebrates.

Thiamethoxam is currently widely used as a seed coating for these crops. This application would allow it to be sprayed directly on the crops, greatly increasing the amount of pesticide that could be used.

The just-released aquatic and non-pollinator risk assessment found that the majority of uses of the neonicotinoid on currently registered crops resulted in risks to freshwater invertebrates that exceeded levels of concern — the threshold at which harm is known to occur.

The EPA did not assess risks associated with spraying the pesticides on the crops it announced it was considering expanding use to on Friday. But it is likely that increasing the number of crops approved for spraying would dramatically increase that risk.

In January the EPA released a preliminary assessment of on-field exposures to thiamethoxam that found all uses of the pesticide — on foliar, soil and seeds — result in exposures that exceed the level of concern for acute and chronic risk to adult bees. But the agency has taken no steps to restrict use of these products and is now considering expanding their use.

Despite growing scientific and public concern about neonicotinoids, the application for expanded use of thiamethoxam was not announced by the EPA but quietly posted in the Federal Register.

“For years the EPA and pesticide companies bragged that by using treated seeds they were avoiding spraying insecticides, and despite the science showing that these treated seeds were deadly to birds, claimed that they were environmentally beneficial,” said Burd. “But we can expect the Trump EPA to now ignore the risks to birds and bees and approve these ultra-toxic pesticides to be sprayed across hundreds of millions of U.S. acres.”

Neonicotinoids are a class of pesticides known to have both acute and chronic effects on aquatic invertebrates, honeybees, birds, butterflies and other pollinator species; they are a major factor in overall pollinator declines. These systemic insecticides cause entire plants, including pollen and fruit, to become toxic to pollinators; they are also slow to break down and therefore build up in the environment.

A large and growing body of independent science links neonicotinoids to catastrophic bee declines. Twenty-nine independent scientists who conducted a global review of more than 1,000 independent studies on neonicotinoids found overwhelming evidence linking the pesticides to declines in populations of bees, birds, earthworms, butterflies and other wildlife.



Western bumblebee by Steve Amus, USDA. This image is available for media use.

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Center for Biological Diversity, P.O. Box 710, Tucson, AZ 85702 United States

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/22/2017 7:07:01 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: For Review: Bloomberg (Tiffany Stecker) - Neonics - 12/22

Sorry, here's the updated and expanded response, approved by Nancy Beck.

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

**From:** Block, Molly  
**Sent:** Friday, December 22, 2017 11:58 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: For Review: Bloomberg (Tiffany Stecker) - Neonics - 12/22

Ok

Sent from my iPhone

On Dec 22, 2017, at 10:17 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

BACKGROUND

Follow-up inquiry. Tiffany Stecker – Bloomber Environment – [Tstecker@bloombergenvironment.com](mailto:Tstecker@bloombergenvironment.com)

RESPONSE

## Ex. 5 Deliberative Process (DP)

**From:** Stecker, Tiffany [<mailto:tstecker@bloombergenvironment.com>]  
**Sent:** Friday, December 22, 2017 10:38 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

A quick follow-up clarification request: If you are unable to consider these applications for new uses of neonicotinoids, why did you publish Syngenta's new use application for thiamethoxam in the Federal Register? <https://www.regulations.gov/document?D=EPA-HQ-OPP-2017-0234-0001>



**From:** Lori Ann Burd [<mailto:laburd@biologicaldiversity.org>]  
**Sent:** Tuesday, December 19, 2017 12:18 PM  
**To:** Stecker, Tiffany <[tstecker@bloombergenvironment.com](mailto:tstecker@bloombergenvironment.com)>  
**Subject:** EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

[http://www.biologicaldiversity.org/news/press\\_releases/2017/pesticides-12-19-2017.php](http://www.biologicaldiversity.org/news/press_releases/2017/pesticides-12-19-2017.php)



CENTER for BIOLOGICAL DIVERSITY

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For Immediate Release, December 19, 2017

Contact: Lori Ann Burd, (971) 717-6405, [laburd@biologicaldiversity.org](mailto:laburd@biologicaldiversity.org)

EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

WASHINGTON— The U.S. Environmental Protection Agency will consider allowing the bee-killing pesticide thiamethoxam to be sprayed on the most widely grown crops in the United States. The application, if approved, would allow the highly toxic pesticide to be sprayed directly on 165 million acres of wheat, barley, corn, sorghum, alfalfa, rice and potato.

The proposal by the agrochemical giant Syngenta to dramatically escalate use of the harmful neonicotinoid pesticide came last Friday, on the same day the EPA released new assessments of the extensive dangers posed by neonicotinoids, including thiamethoxam.

“If the EPA grants Syngenta’s wish, it will spur catastrophic declines of aquatic invertebrates and pollinator populations that are already in serious trouble,” said Lori Ann Burd, director of the Center for Biological Diversity’s environmental health program. “You know the pesticide-approval process is broken when the EPA announces it will consider expanding the use of this dangerous pesticide on the same day its own scientists reveal that the chemical kills birds and aquatic invertebrates.”

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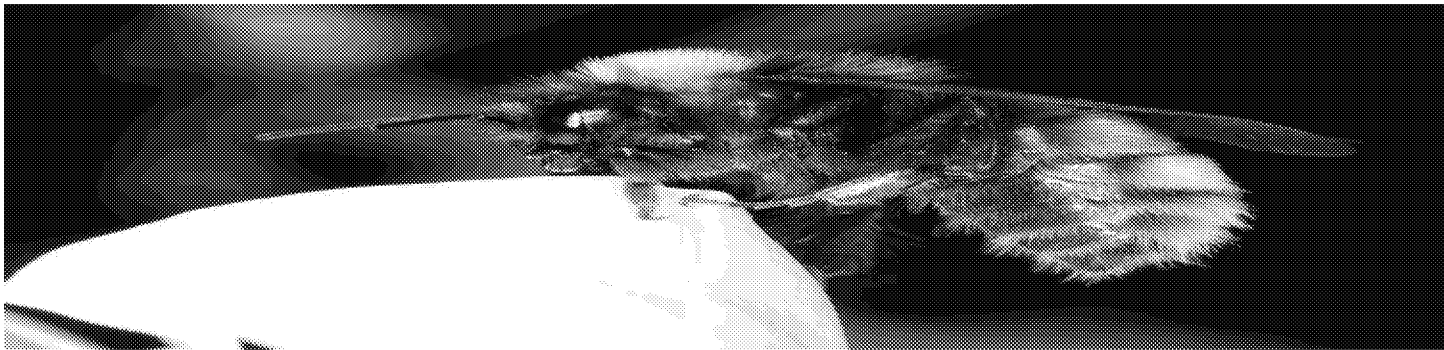
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height="0" width="0" style="display:none;visibility:hidden"&gt;&lt;/iframe&gt;

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Center for Biological Diversity, P.O. Box 710, Tucson, AZ 85702 United States

Message

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**From:** Lu, Jennifer [jlu1@bloombergenvironment.com]  
**Sent:** 12/22/2017 5:03:08 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Costa, Allison [Costa.Allison@epa.gov]; Press [Press@epa.gov]  
**Subject:** Re: accessing the docket for [EPA-HQ-OAR-2017-0638]

Okay, thanks!

---

**From:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Sent:** Friday, December 22, 2017 12:00:08 PM  
**To:** Lu, Jennifer  
**Cc:** Costa, Allison; Press  
**Subject:** Re: accessing the docket for [EPA-HQ-OAR-2017-0638]

Jennifer, for attribution, if needed, to "an EPA spokesperson."

The petition for rulemaking, along with the letter denying the petition, will be available in the docket upon publication in the Federal Register. That Docket ID number is EPA-HQ-OAR-2017-0638.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Dec 22, 2017, at 10:29 AM, Lu, Jennifer <jlu1@bloombergenvironment.com> wrote:

Hi Ms. Costa,

I saw on the federal register advanced notice the proposed rule denying a petition to list CAFOs under section 111. I tried to find the docket on [regulations.gov](http://www.regulations.gov) using the docket ID number provided, [EPA-HQ-OAR-2017-0638], but came up empty.

I also tried searching by the title, "Petition To List Concentrated Animal Feeding Operations under Clean Air Act Section 111(b)(1)(A) of the Clean Air Act, and To Promulgate Standards of Performance Under Clean Air Act Sections 111(b)(1)(B) and 111(d)," but did not get a result as well.

Can you please help me find the original petition to read?

Thanks,  
Jennifer Lu

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/22/2017 5:00:08 PM  
**To:** Lu, Jennifer [jlul1@bloombergenvironment.com]  
**CC:** Costa, Allison [Costa.Allison@epa.gov]; Press [Press@epa.gov]  
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Office of Media Relations  
Washington D.C.

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202-564-6618 (O)

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Message

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**From:** Daniell, Kelsi [daniell.kelsi@epa.gov]  
**Sent:** 12/22/2017 4:59:51 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Block, Molly [block.molly@epa.gov]  
**Subject:** Re: For Review: Bloomberg (Tiffany Stecker) - Neonics - 12/22

Thank you!

Sent from my iPhone

On Dec 22, 2017, at 11:59 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Hi Kelsi,

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)** I'll send the updated version once they get back to me.

---

**From:** Daniell, Kelsi  
**Sent:** Friday, December 22, 2017 11:58 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: For Review: Bloomberg (Tiffany Stecker) - Neonics - 12/22

Was this approved by anyone?

Sent from my iPhone

On Dec 22, 2017, at 11:17 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

BACKGROUND

Follow-up inquiry. Tiffany Stecker – Bloomber Environment –  
[Tstecker@bloombergenvironment.com](mailto:Tstecker@bloombergenvironment.com)

RESPONSE

**Ex. 5 Deliberative Process (DP)**

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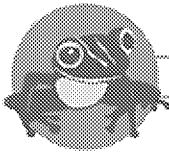
**From:** Stecker, Tiffany [<mailto:tstecker@bloombergenvironment.com>]  
**Sent:** Friday, December 22, 2017 10:38 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

A quick follow-up clarification request: If you are unable to consider these applications for new uses of neonicotinoids, why did you publish Syngenta's new use application for thiamethoxam in the Federal Register? <https://www.regulations.gov/document?D=EPA-HQ-OPP-2017-0234-0001>



**From:** Lori Ann Burd [<mailto:laburd@biologicaldiversity.org>]  
**Sent:** Tuesday, December 19, 2017 12:18 PM  
**To:** Stecker, Tiffany <[tstecker@bloombergenvironment.com](mailto:tstecker@bloombergenvironment.com)>  
**Subject:** EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

[http://www.biologicaldiversity.org/news/press\\_releases/2017/pesticides-12-19-2017.php](http://www.biologicaldiversity.org/news/press_releases/2017/pesticides-12-19-2017.php)



CENTER for BIOLOGICAL DIVERSITY

*Because life*

For Immediate Release, December 19, 2017

Contact: Lori Ann Burd, (971) 717-6405, [laburd@biologicaldiversity.org](mailto:laburd@biologicaldiversity.org)

EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

WASHINGTON— The U.S. Environmental Protection Agency will consider allowing the bee-killing pesticide thiamethoxam to be sprayed on the most widely grown crops in the United States. The application, if approved, would allow the highly toxic pesticide to be sprayed directly on 165 million acres of wheat, barley, corn, sorghum, alfalfa, rice and potato.

The proposal by the agrochemical giant Syngenta to dramatically escalate use of the harmful neonicotinoid pesticide came last Friday, on the same day the EPA released new assessments of extensive dangers posed by neonicotinoids, including thiamethoxam.

“If the EPA grants Syngenta’s wish, it will spur catastrophic declines of aquatic invertebrates and pollinator populations that are already in serious trouble,” said Lori Ann Burd, director of the Center for Biological Diversity’s environmental health program. “You know the pesticide-approval process is broken when the EPA announces it will consider expanding the use of this dangerous pesticide on the same day its own scientists reveal that the chemical kills birds and aquatic invertebrates.”

Neonicotinoids have long been known to pose serious harm to bee populations. But the new EPA assessments found the commonly used pesticides can kill and harm birds of all sizes and pose significant dangers to aquatic invertebrates.

Thiamethoxam is currently widely used as a seed coating for these crops. This application would allow it to be sprayed directly on the crops, greatly increasing the amount of pesticide that could be used.

The just-released aquatic and non-pollinator risk assessment found that the majority of uses of the neonicotinoid on currently registered crops resulted in risks to freshwater invertebrates that exceed levels of concern — the threshold at which harm is known to occur.

The EPA did not assess risks associated with spraying the pesticides on the crops it announced it was considering expanding use to on Friday. But it is likely that increasing the number of crops approved for spraying would dramatically increase that risk.

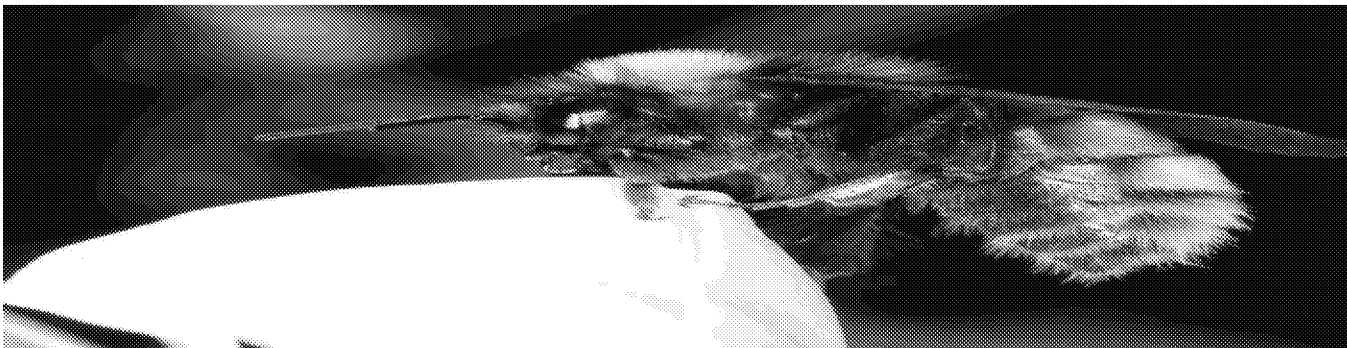
In January the EPA released a preliminary assessment of on-field exposures to thiamethoxam that found all uses of the pesticide — on foliar, soil and seeds — result in exposures that exceed the level of concern for acute and chronic risk to adult bees. But the agency has taken no steps to restrict use of these products and is now considering expanding their use.

Despite growing scientific and public concern about neonicotinoids, the application for expanded use of thiamethoxam was not announced by the EPA but quietly posted in the Federal Register.

“For years the EPA and pesticide companies bragged that by using treated seeds they were avoiding spraying insecticides, and despite the science showing that these treated seeds were deadly to bees, they claimed that they were environmentally beneficial,” said Burd. “But we can expect the Trump EPA to now ignore the risks to birds and bees and approve these ultra-toxic pesticides to be sprayed across hundreds of millions of U.S. acres.”

Neonicotinoids are a class of pesticides known to have both acute and chronic effects on aquatic invertebrates, honeybees, birds, butterflies and other pollinator species; they are a major factor in overall pollinator declines. These systemic insecticides cause entire plants, including pollen and fruit, to become toxic to pollinators; they are also slow to break down and therefore build up in the environment.

A large and growing body of independent science links neonicotinoids to catastrophic bee decline. Twenty-nine independent scientists who conducted a global review of more than 1,000 independent studies on neonicotinoids found overwhelming evidence linking the pesticides to declines in populations of bees, birds, earthworms, butterflies and other wildlife.



Western bumblebee by Steve Amus, USDA. This image is [available](#) for media use.

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Center for Biological Diversity, P.O. Box 710, Tucson, AZ 85702 United States



Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/22/2017 3:46:33 PM  
**To:** Press [Press@epa.gov]  
**Subject:** FW: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

Working with the program.

---

**From:** Stecker, Tiffany [mailto:tstecker@bloombergenvironment.com]  
**Sent:** Friday, December 22, 2017 10:38 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

A quick follow-up clarification request: If you are unable to consider these applications for new uses of neonicotinoids, why did you publish Syngenta's new use application for thiamethoxam in the Federal Register?  
<https://www.regulations.gov/document?D=EPA-HQ-OPP-2017-0234-0001>

The risk assessments for pollinators released earlier this week (or last week) were preliminary, not final.

Many thanks,

Tiffany

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Friday, December 22, 2017 9:47 AM  
**To:** Stecker, Tiffany <tstecker@bloombergenvironment.com>; Press <Press@epa.gov>  
**Subject:** RE: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

Tiffany, for attribution to "an EPA spokesperson," please:

We will be able to consider applications for new uses of neonicotinoids once the registration review risk assessments for these compounds have been completed.

---

**From:** Stecker, Tiffany [mailto:tstecker@bloombergenvironment.com]  
**Sent:** Thursday, December 21, 2017 5:58 PM  
**To:** Press <Press@epa.gov>  
**Cc:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** FW: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

Hi Press team, Robert,

In response to the press release below, I'm wondering if this 2015 moratorium on registering new outdoor uses for neonicotinoids still stands: <https://www.epa.gov/pollinator-protection/april-2015-letter-registrants-announcing-new-process-handling-new>

If possible, please let me know yes/no by 12 pm tomorrow.

Best wishes and happy holidays,

Tiffany

**Tiffany Stecker**  
Reporter  
**Bloomberg Environment**

Direct 703.341.3720

Cell Ex. 6 Personal Privacy (PP)

[tstecker@bloombergenvironment.com](mailto:tstecker@bloombergenvironment.com)

**From:** Lori Ann Burd [<mailto:laburd@biologicaldiversity.org>]  
**Sent:** Tuesday, December 19, 2017 12:18 PM  
**To:** Stecker, Tiffany <[tstecker@bloombergenvironment.com](mailto:tstecker@bloombergenvironment.com)>  
**Subject:** EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

[http://www.biologicaldiversity.org/news/press\\_releases/2017/pesticides-12-19-2017.php](http://www.biologicaldiversity.org/news/press_releases/2017/pesticides-12-19-2017.php)



For Immediate Release, December 19, 2017

Contact: Lori Ann Burd, (971) 717-6405, [laburd@biologicaldiversity.org](mailto:laburd@biologicaldiversity.org)

## EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

WASHINGTON— The U.S. Environmental Protection Agency will consider allowing the bee-killing pesticide thiamethoxam to be sprayed on the most widely grown crops in the United States. The application, if approved, would allow the highly toxic pesticide to be sprayed directly on 165 million acres of wheat, barley, corn, sorghum, alfalfa, rice and potato.

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In January the EPA released a preliminary assessment of on-field exposures to thiamethoxam that found all uses of the pesticide — on foliar, soil and seeds — result in exposures that exceed the level of concern for acute and chronic risk to adult bees. But the agency has taken no steps to restrict use of these products and is now considering expanding their use.

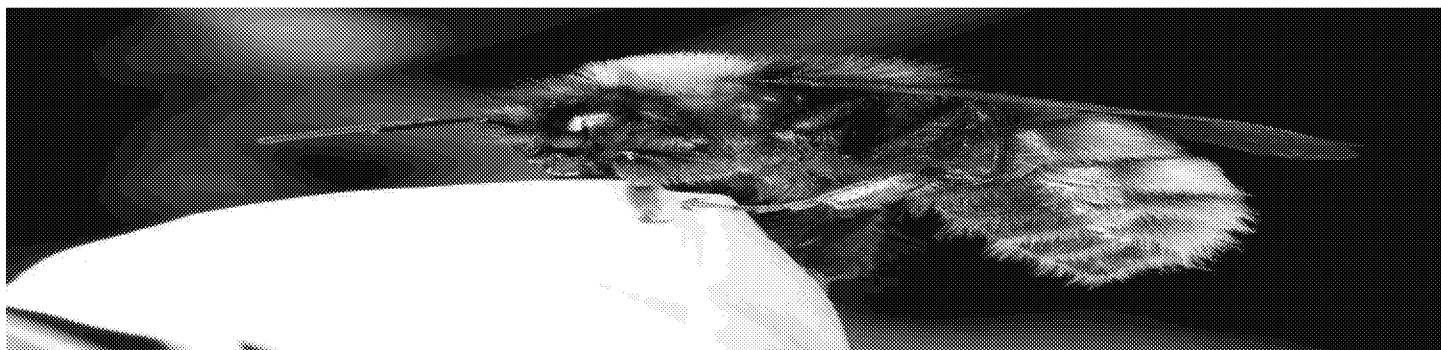
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"For years the EPA and pesticide companies bragged that by using treated seeds they were avoiding spraying insecticides, and despite the science showing that these treated seeds were deadly to birds, claimed that they were environmentally beneficial," said Burd. "But we can expect the Trump EPA to now ignore the risks to birds and bees and approve these ultra-toxic pesticides to be sprayed across hundreds of millions of U.S. acres."

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Western bumblebee by Steve Amus, USDA. This image is [available](#) for media use.

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Center for Biological Diversity, P.O. Box 710, Tucson, AZ 85702 United States

**From:** Stecker, Tiffany [tstecker@bloombergenvironment.com]  
**Sent:** 12/22/2017 3:04:30 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Friday, December 22, 2017 9:47 AM  
**To:** Stecker, Tiffany <tstecker@bloombergenvironment.com>; Press <Press@epa.gov>  
**Subject:** RE: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

**From:** Stecker, Tiffany [mailto:tstecker@bloombergenvironment.com]  
**Sent:** Thursday, December 21, 2017 5:58 PM  
**To:** Press <Press@epa.gov>  
**Cc:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** FW: EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

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**From:** Lori Ann Burd [mailto:[laburd@biologicaldiversity.org](mailto:laburd@biologicaldiversity.org)]

**Sent:** Tuesday, December 19, 2017 12:18 PM

**To:** Stecker, Tiffany <[tstecker@bloombergenvironment.com](mailto:tstecker@bloombergenvironment.com)>

**Subject:** EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

[http://www.biologicaldiversity.org/news/press\\_releases/2017/pesticides-12-19-2017.php](http://www.biologicaldiversity.org/news/press_releases/2017/pesticides-12-19-2017.php)

For Immediate Release, December 19, 2017

Contact: Lori Ann Burd, (971) 717-6405, [laburd@biologicaldiversity.org](mailto:laburd@biologicaldiversity.org)

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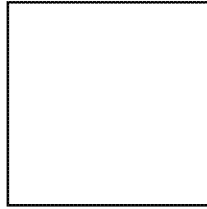
Western bumblebee by Steve Amus, USDA. This image is [available](#) for media use.

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▪

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/22/2017 2:54:19 PM  
**To:** Sam Brock [sam.brock@argusmedia.com]; Press [Press@epa.gov]  
**Subject:** RE: Media request: EPA science advisers lawsuit

Sam, for attribution to "an EPA spokesperson," please:

"It's EPA policy not to comment on pending litigation."

Regards, R.

---

**From:** Sam Brock [mailto:sam.brock@argusmedia.com]  
**Sent:** Friday, December 22, 2017 9:42 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Media request: EPA science advisers lawsuit

Hello EPA press team,

Happy holiday! My name is Sam Brock and I am a reporter for Argus Media. Hope all is well. Could you provide me with a comment on a group of former EPA science advisers suing the agency over their removal from various advisory boards?

Thanks for your time. I appreciate any response you can give me.

Best,  
Sam Brock  
Emissions Markets and Policy Reporter  
www.argusmedia.com  
Direct: Ex. 6 Personal Privacy (PP)  
Email: [sam.brock@argusmedia.com](mailto:sam.brock@argusmedia.com)  
Skype ID: argus\_sambrock



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Argus Media Inc., 1667 K Street NW, Suite 1150, Washington, DC 20006

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Argus Media Limited has moved offices. Please note our new address below.

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Registration No: 1642534 VAT Registration No: GB 229 7149 41

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/21/2017 9:57:45 PM  
**To:** David LaRoss [dlaross@iwpnews.com]; Press [Press@epa.gov]  
**Subject:** RE: Re: Press request on C2P2

David, for attribution to "an EPA spokesperson," please:

In May 2016, the Agency certified the completion of all the recommendations specified in the August 22, 2011, memorandum from Assistant Administrator Mathy Stanislaus to Inspector General Arthur A. Elkins Jr., for the March 2011 EPA Office of the Inspector General Report No. 11-P-017, *EPA Promoted the Use of Coal Ash Products with Incomplete Risk Information*.

Based on the available information reviewed and the availability of response authorities, in May 2016, EPA determined that no further action to address historical coal combustion residuals (CCR) structural fill applications as a general issue was warranted. The Agency noted that this determination was consistent with the Agency's conclusions in the CCR Disposal Rule that:

*"...certain beneficial uses, should be conducted with care, according to appropriate management practices, and with appropriate characterization of the material and the site where the materials will be placed. EPA has concluded that the potential risks of these uses do not warrant federal regulation, but can be addressed, if necessary in other ways."* (80 FR at 21351, April 17, 2015)

The Agency also noted that:

*"...this determination does not preclude the EPA from taking any action in the future on the general issue of historical CCR fill applications or on any specific historical CCR fill application based on new or additional information, facts, or analysis."*

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** David LaRoss [mailto:dlaross@iwpnews.com]  
**Sent:** Thursday, December 21, 2017 10:41 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Fwd: Re: Press request on C2P2

I'm forwarding this request to the general press mailbox as Tricia is out of the office. Thanks for your help!

----- Forwarded Message -----

**Subject:** Re: Press request on C2P2  
**Date:** Thu, 21 Dec 2017 10:35:24 -0500  
**From:** David LaRoss <dlaross@iwpnews.com>  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>

Tricia -

Thanks! I've updated the story, but would also like to follow up if I could -- what action or report does EPA see as addressing the second IG recommendation? Is it part of the RCRA coal ash rule?

David LaRoss  
Inside EPA  
(703) 416-8536

On 12/20/2017 4:11 PM, Lynn, Tricia wrote:

David—

For attribution to "an EPA spokesperson:"

The Agency appreciates working with stakeholders on the responsible beneficial use of CCR, as well as other non-hazardous industrial secondary materials. We fully addressed the concerns that had been raised by EPA's IG. The Agency has not made a decision to revive the Coal Combustion Products Partnership (C2P2) Program.

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

---

**From:** David LaRoss [<mailto:dlaross@iwpnews.com>]  
**Sent:** Tuesday, December 19, 2017 1:09 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Press request on C2P2

I'm working on a story for *Inside EPA* about environmentalists' letter yesterday urging EPA not to quickly revive the Coal Combustion Partnership Program (C2P2) as industry has requested, and signaled is likely. Does EPA have a comment on the potential for reviving the program?

Deadline is close of business -- we may post the story earlier in the afternoon, but we'll update it with any comment received from EPA today.

--

David LaRoss  
Inside EPA  
(703) 416-8536





**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/21/2017 9:56:37 PM  
**To:** Chason, Rachel [Rachel.Chason@washpost.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: RACHEL: Wash. Post - Query on Dry Ice - DDL 12/21

Rachel, for attribution to "an EPA spokesperson," please:

**1. What is the EPA's current position on the use of dry ice to kill rats?**

EPA believes that dry ice used for control of rats may be a viable alternative to traditional pest control using anticoagulant or other baits. It targets the rats directly in their burrow/tunnel systems so above ground bait stations are not required. Dry ice does not present a risk to birds or animals that may feed on the dead rats. If the approved label is followed, EPA has determined that dry ice can be a very effective and efficient tool for controlling rat populations.

**2. When/why did the EPA previously instruct cities to stop using dry ice?**

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires that before a product can be marketed for the control of a pest, it must be registered by EPA. Carbon dioxide has been registered as a pesticide for over 30 years as a treatment for insect pests in stored grains and other commodities. Although it occurs naturally in the environment, carbon dioxide is not exempt from the requirements of FIFRA because it can have a toxic effect on humans or other organisms and cause injury or adverse effects.

Dry ice is the solid form of carbon dioxide. Without a registration, applying dry ice to control rodents was an unlawful distribution of an unregistered pesticide pursuant to FIFRA § 12(a)(1)(A). On June 29, 2017, EPA registered Bell Laboratories' dry ice product ("Rat Ice") at the national level.

After EPA issues a federal registration, states and the District of Columbia have their own registration programs that must be satisfied before the product can be sold and used within the state or D.C. Once a state or D.C. has approved registration of the product within the state, consumers or municipalities must purchase the registered product and use the registered product according to the product label.

Regards, R.

---

**From:** Chason, Rachel [mailto:Rachel.Chason@washpost.com]  
**Sent:** Thursday, December 21, 2017 11:12 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: RACHEL: Wash. Post - Query on Dry Ice - DDL 12/21

Understood – deadline is 3 p.m. If there's any statement already prepared on the EPA's current position then I could definitely use just that, instead of the when/why first question

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Thursday, December 21, 2017 11:08 AM  
**To:** Chason, Rachel <Rachel.Chason@washpost.com>  
**Subject:** RE: RACHEL: Wash. Post - Query on Dry Ice - DDL 12/21

Well, we'll shoot for the end of the day, but no guarantees, with -already- holiday-induced short staffing and other inquiries to handle.

Do you have a hard deadline?

---

**From:** Chason, Rachel [<mailto:Rachel.Chason@washpost.com>]  
**Sent:** Thursday, December 21, 2017 11:04 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: RACHEL: Wash. Post - Query on Dry Ice - DDL 12/21

Hi Robert,

Wanted to follow up to see whether you have a time estimate on when you might be able to get a statement?

Thank you!  
Rachel

---

**From:** Chason, Rachel  
**Sent:** Thursday, December 21, 2017 9:31 AM  
**To:** 'Daguillard, Robert' <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: RACHEL: Wash. Post - Query on Dry Ice - DDL 12/21

Hi Robert,

Main questions are: What is the EPA's current position on the use of dry ice to kill rats?  
When/why did the EPA previously instruct cities to stop using dry ice?  
Would love to get this info as soon as someone is able.

Thanks so much!  
Rachel

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Thursday, December 21, 2017 9:29 AM  
**To:** Chason, Rachel <[Rachel.Chason@washpost.com](mailto:Rachel.Chason@washpost.com)>  
**Subject:** RACHEL: Wash. Post - Query on Dry Ice - DDL 12/21

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Sent:** 1/23/2018 3:07:40 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]  
**CC:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** RE: WOTUS article

## Ex. 5 Deliberative Process (DP)

**From:** Konkus, John  
**Sent:** Tuesday, January 23, 2018 9:59 AM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>  
**Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** RE: WOTUS article

## Ex. 5 Deliberative Process (DP)

**From:** Bowman, Liz  
**Sent:** Tuesday, January 23, 2018 9:44 AM  
**To:** Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>  
**Cc:** Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** FW: WOTUS article

We need to make sure that anyone covering the WOTUS SCOTUS decision understands that it was NOT a loss for the trump administration. Please see my note to Miranda from the Hill (formerly CNN) below. Can you all please help me ensure this message is getting out to people covering this issue? Thank you – Liz

**From:** Bowman, Liz  
**Sent:** Tuesday, January 23, 2018 9:43 AM  
**To:** 'mgreen@thehill.com' <mgreen@thehill.com>  
**Cc:** Kelsi Daniell (daniell.kelsi@epa.gov) <daniell.kelsi@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** WOTUS article

Miranda – I want to follow-up on your article, and provide additional background (not for attribution) **to clarify that the Supreme Court decision on WOTUS was not, in fact a loss for the Trump administration:** While the Trump Justice Department maintained the previous Administration's opinion on the proper venue for the legal point as to which court should hear certain types of Clean Water Act cases, that is not a loss for the Trump administration. The Justice Department almost never changes position on a case when it is on appeal and a change in position is much more rare still when the case is before the Supreme Court. **The current administration has arranged to have 'step zero' rule ready to go into effect in short order.** Yesterday's decision was expected, and this administration has prepared by taking steps to ensure that the 2015 Obama rules don't come back into effect and provide regulatory certainty to affected stakeholders. The two-year delay in the applicability date of the 2015 Obama rules will ensure that EPA and

the Corps of Engineers can put into place a well-reasoned and well-written rule that clearly delineates the jurisdictional bounds of the Clean Water Act. Today's decision has no bearing on that goal.

**Additional background:**

- **The decision by the Supreme Court yesterday was in regard to the Obama administration's position on court jurisdiction, and the Trump administration chose not change that strategy.**
- There is a period of reconsideration with the Supreme Court that is available to litigants, therefore the Trump EPA put procedures in place to provide certainty to the regulated community throughout this repeal process.
- While this decision means that the 6<sup>th</sup> Circuit will not have jurisdiction in the near term, the 13 state stay by the North Dakota District Court will remain in place.
- While this decision appears to mean that some states (13) will not be affected by yesterday's decision and the rest of the country may need to follow the 2015 rule, the Trump administration prepared for this patchwork of uncertainty and has developed a plan to ensure that the 2015 rule remains stayed in the long term.
- The 13 states under the stay from the district court in North Dakota include: North Dakota, Alaska, Arizona, Arkansas, Colorado, Idaho, Missouri, Montana, Nebraska, Nevada, South Dakota, Wyoming, and New Mexico.

**On the record:**

"The Trump administration saw this decision coming and put a plan in place to level the playing field and ensure certainty for states and regulated community. The Trump administration's stay of the 2015 WOTUS rule will very likely be complete before any change in court jurisdiction can be finalized, or the Obama administration's overreaching definition of WOTUS can be implemented," **EPA spokesperson Liz Bowman.**

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/13/2017 9:58:45 PM  
**To:** Press [Press@epa.gov]  
**Subject:** Fwd: media request regarding genetically modified mosquito proposal

Program has this.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

Begin forwarded message:

**From:** Tim O'Hara <tohara@keysnews.com>  
**Date:** December 13, 2017 at 12:54:22 PM EST  
**To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Subject:** RE: media request regarding genetically modified mosquito proposal  
**Reply-To:** <tohara@keysnews.com>

Thanks. So I can say it is too early to say if the EPA is going to require an environmental impact statement or relying on the environmental assessment Oxitec worked on with FDA?

Let me know. Thanks

Tim O'Hara  
The Key West Citizen  
(305) 292-7777, ext. 242

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Wednesday, December 13, 2017 12:35 PM  
**To:** tohara@keysnews.com  
**Cc:** Press  
**Subject:** Fwd: media request regarding genetically modified mosquito proposal

Tom, for attribution to "an EPA spokesperson," please:

EPA only received Oxitec's experimental use permit application last week. We are completing a screen of the application to ensure that it is complete, a process that takes several months under PRIA. Once we've completed the review, we will begin the scientific evaluation.

For the environmental impacts, we will consider all available information in making a safety determination consistent with the FIFRA risk/benefit standard.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** Tim O'Hara <tohara@keysnews.com>  
**Date:** December 8, 2017 at 9:24:18 AM EST  
**To:** Press <Press@epa.gov>  
**Subject:** media request regarding genetically modified mosquito proposal  
**Reply-To:** "tohara@keysnews.com" <tohara@keysnews.com>

I am a reporter with the Key West Citizen newspaper. We are the daily paper here in the Florida Keys. The EPA has taken over responsibility for approving or rejecting a proposal by a company called Oxitec, which wants to release millions of genetically modified mosquitoes as part of mosquito eradication or suppression effort here in the Keys. The Food and Drug Administration had been handling the approval of the test release but it has been passed along to the EPA.

I have a few questions about where in the process Oxitec's request is and whether your agency is requiring them to perform a full blown environmental impact statement or rely on the environmental assessment conducted when FDA was handling it.

Also, I wanted to establish a regular media contact for this issue.

If someone can call me or email me back I would appreciate it.

Thanks

Tim O'Hara

The Key West Citizen

(305) 292-7777, ext. 242

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Message

---

**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 12/13/2017 9:45:40 PM  
**To:** Ellen Rosen [Ex. 6 Personal Privacy (PP)]  
**Subject:** Re: WOTUS Timing follow-up

Ellen—

For attribution to “an EPA spokesperson:”

There are legal proceedings underway that may affect whether the 2015 Clean Water Rule remains stayed or whether it goes into effect. EPA’s proposal to add an applicability date to the 2015 rule is intended to ensure that the regulations that existed prior to promulgation of the rule in 2015 and that have been in effect nationwide since October 9, 2015, would remain in effect while the agency continues to work on the rules to rescind and replace the 2015 rule.

**On background:**

On August 27, 2015, a district court in North Dakota issued an order granting a motion for preliminary injunction before the rule’s effective date for the 13 states that were a party to that case. Most other district courts put their similar litigation on hold following the Sixth Circuit’s determination that such litigation was appropriately decided by the circuit courts. On October 9, 2015, the U.S. Court of Appeals for the Sixth Circuit stayed the 2015 rule nationwide pending further action of the court. The Supreme Court is currently weighing a decision on whether the proper court for litigation about the scope of the Clean Water Act are district courts or circuit courts. The Supreme Court’s decision may affect whether the Sixth Circuit’s nationwide halt on implementing the 2015 rule stays in effect.

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

---

**From:** Ellen Rosen [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Wednesday, December 13, 2017 12:40 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: WOTUS Timing follow-up

I’m sorry, but I’m still confused.

The comment period for step 1 closed in September.

There are two additional comment periods, as I read it — one for Step 2 and the other for the applicability date of WOTUS.

What I don’t understand is that if Step 1 aims to withdraw the 2015 WOTUS, and Step 2 is to determine the replacement for 2015 WOTUS, why is there a need to postpone the effective date of the 2015 rule?

Thank you. I'm sorry it's taking me some time to understand this.

best,

Ellen Rosen

Ex. 6 Personal Privacy (PP)

On Dec 8, 2017, at 2:33 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Ellen, the listening sessions will inform the step 2 proposal that is forthcoming. The comment period that closed in September was for the Step 1 proposal that was issued in June and published in July.

EPA proposed to change the applicability date to two years after the final rule is published in the federal register. So if that rule is finalized early next year, the new applicability date for the 2015 rule would be in early 2020.

On Dec 6, 2017, at 1:37 PM, Ellen Rosen <Ex. 6 Personal Privacy (PP)> wrote:

I'm having a bit of trouble understanding the difference between steps 1 and 2 of WOTUS and the three different comment deadlines. Is there someone who can help me through this? I anticipate no more than 15 minutes by phone.

Thank you!

Ellen Rosen

Ex. 6 Personal Privacy (PP)

On Dec 5, 2017, at 2:08 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Ellen, attributable to an EPA spokesperson:

We plan to make the summaries available at the time that we propose the Step 2 rule. We do not have timing for that at this time.

---

**From:** ellen rosen [mailto:Ex. 6 Personal Privacy (PP)]

**Sent:** Tuesday, December 05, 2017 4:54 PM

**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Subject:** Re: Waters of the U.S.

Thank you. But additionally, were there summaries of the sessions? Someone must have written something up to help with the rule-making process.

On Dec 5, 2017, at 1:34 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:



Hi Ellen, attributable to an EPA spokesperson:

We did not record or make transcripts of these sessions, but the powerpoints are available on our website:

<https://www.epa.gov/wotus-rule/listening-session-presentations>

On Dec 5, 2017, at 4:04 PM, Ellen Rosen

< **Ex. 6 Personal Privacy (PP)** > wrote:

I am a freelance writer interested in the review of the Waters of the U.S. Rule. Are there either videos or transcripts from the 11 sessions held this fall on the rule?

Thank you.

Ellen Rosen

**Ex. 6 Personal Privacy (PP)**

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/13/2017 7:26:27 PM  
**To:** Stuart Parker [stuart.parker@iwpnews.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: RFS period review document

Stuart, for attribution to "an EPA spokesperson," please:

As a part of implementing the Renewable Fuels Standards program, the Clean Air Act section 211(o)(11) calls for EPA to complete periodic reviews of the implementation of RFS requirements. The Notice alerts the public that EPA has developed a document that provides EPA's legal interpretation of the statutory requirement to conduct periodic reviews, and that lists the prior actions EPA has taken to fulfill our obligation to conduct such reviews.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Dec 7, 2017, at 3:32 PM, Stuart Parker <[stuart.parker@iwpnews.com](mailto:stuart.parker@iwpnews.com)> wrote:

Robert, Hi.

EPA just put up a document containing a legal interpretation of its duties to periodically review certain aspects of the RFS.

Can you tell me if this document responds to a request from some entity such as Congress, or the EPA Inspector General, or some other third party? Why release it now? And what are the next steps - does EPA intend to put this out for public comment, or codify it?

Thanks,

Stuart Parker

Inside EPA

703 416 8516

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/13/2017 6:08:19 PM  
**To:** Stecker, Tiffany [tstecker@bloombergenvironment.com]; Press [Press@epa.gov]  
**Subject:** RE: Request for comment on Sen. Udall's stance on PRIA legislation

"We are communicating with the Senator's office through appropriate channels."

**From:** Stecker, Tiffany [mailto:tstecker@bloombergenvironment.com]  
**Sent:** Tuesday, December 12, 2017 6:11 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Request for comment on Sen. Udall's stance on PRIA legislation

As I'm sure you know, Sen. Tom Udall of New Mexico has a hold on the Pesticide Registration Improvement Act reauthorization bill. This bipartisan bill would allow EPA's Office of Pesticide Programs to collect fees from industry to fund pesticide registrations, farmworker protection work and other activities.

Udall told me he has met with EPA on this and the agency said they would “take a year or so to look at it,” rather than implement the rules as they were finalized. “The ball’s in their court,” he told me.

My questions: Is EPA prepared to meet Sen. Udall's demands to allow PRIA to be reauthorized? How do you respond to his statement?

Many thanks,

➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤

**Tiffany Stecker**  
Reporter  
**Bloomberg Environment**

Direct 703.341.3720

Cell Ex. 6 Personal Privacy (PP)

[tstecker@bloombergenvironment.com](mailto:tstecker@bloombergenvironment.com)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/13/2017 5:34:52 PM  
**To:** tohara@keysnews.com  
**CC:** Press [Press@epa.gov]  
**Subject:** Fwd: media request regarding genetically modified mosquito proposal

Tom, for attribution to "an EPA spokesperson," please:

EPA only received Oxitec's experimental use permit application last week. We are completing a screen of the application to ensure that it is complete, a process that takes several months under PRIA. Once we've completed the review, we will begin the scientific evaluation.

For the environmental impacts, we will consider all available information in making a safety determination consistent with the FIFRA risk/benefit standard.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** Tim O'Hara <tohara@keysnews.com>  
**Date:** December 8, 2017 at 9:24:18 AM EST  
**To:** Press <Press@epa.gov>  
**Subject:** media request regarding genetically modified mosquito proposal  
**Reply-To:** "tohara@keysnews.com" <tohara@keysnews.com>

I am a reporter with the Key West Citizen newspaper. We are the daily paper here in the Florida Keys. The EPA has taken over responsibility for approving or rejecting a proposal by a company called Oxitec, which wants to release millions of genetically modified mosquitoes as part of mosquito eradication or suppression effort here in the Keys. The Food and Drug Administration had been handling the approval of the test release but it has been passed along to the EPA.

I have a few questions about where in the process Oxitec's request is and whether your agency is requiring them to perform a full blown environmental impact statement or rely on the environmental assessment conducted when FDA was handling it.

Also, I wanted to establish a regular media contact for this issue.

If someone can call me or email me back I would appreciate it.

Thanks

Tim O'Hara  
The Key West Citizen  
(305) 292-7777, ext. 242

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Message

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/12/2017 10:29:03 PM  
**To:** McGinty, Jo Craven [jo.mcginity@wsj.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Answers?

Funny you should ask. For attribution, again, to “an EPA spokesperson,” please:

If I understand your message below, I'm to discern the current exhaust emissions standards for leaf blowers from the chart labeled Nonroad Spark-Ignition Engines 19 Kilowatts and Below at this link: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100OA0J.pdf>

If so, I need some help interpreting the figures. Is the CO limit 610 grams per kilowatt hour?

- No. handheld leafblowers are typically considered a class V product which means it's engine displaces less than 50ccs. The NO<sub>x</sub> emissions standards for this class is for CO is 603 g/kW-hr for CO and 72 g/kW-hr for HC+NO<sub>x</sub>.

Is the HC and NO<sub>x</sub> limit a combined 8 or 10 grams per kilowatt hour, depending on the size of the engine? What do the superscript "h" and the bracketed [ABT] mean in those notations?

- As noted above the the HC+NO<sub>x</sub> standard for class V product is 72 g/kW-hr.
- ABT – is a reference to our “**Averaging,**Banking and **Trading**” program which is used in a variety of our regulations. This program allows manufacturers additional flexibility in meeting standards by allowing them to sell some products that exceed standard, and others that are below, and even to trade credits with other firms to comply. Overall this program ensures that emissions don't exceed what would be expected if each specific engine exactly met the standard, but with reduced costs, and more flexibility for manufacturers.****
- The notation h from the table is irrelevant to class V products.

In addition, I'm not sure how to match a) the emissions standards from the link below and b) the emission standards for light duty cars and trucks included in your email (under No.2) to the percent contributions listed in No. 4. Specifically, the standards don't seem to mention VOCs or PM<sub>2.5</sub>, which are included in No. 4. What are those standards for both light duty cars and truck and small nonroad engines (i.e., leaf blowers)?

- There are no PM<sub>2.5</sub> standard for small spark ignition engines.
- VOCs are a subset of the more general category of Hydrocarbons (HCs).

You provided the percentages for total emissions by Small Nonroad SI and Onroad Light-Duty of NO<sub>x</sub>, VOC, PM<sub>2.5</sub> and CO. Could also provide the actual totals? (I assume it would be in tons).

Here are the actual U.S. emissions inventory estimates for 2014 in U.S. Short Tons

|                   | NO <sub>x</sub> | VOC       | PM <sub>2.5</sub> | CO         |
|-------------------|-----------------|-----------|-------------------|------------|
| Small Nonroad SI  | 137,545         | 973,597   | 43,442            | 10,651,229 |
| Onroad Light-Duty | 2,289,305       | 1,811,376 | 59,301            | 20,029,797 |

|               |            |            |           |            |
|---------------|------------|------------|-----------|------------|
| Mobile Source | 7,461,337  | 3,821,740  | 340,928   | 35,142,111 |
| Total U.S.    | 14,455,000 | 55,239,000 | 6,248,000 | 70,089,000 |

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP) (M)

  
202-564-6618 (O)

On Dec 12, 2017, at 5:07 PM, McGinty, Jo Craven <[jo.mcginity@wsj.com](mailto:jo.mcginity@wsj.com)> wrote:

Hi, Robert,

Do you have any answers yet?

Best,

Jo

Jo Craven McGinty  
The Wall Street Journal  
[jo.mcginity@wsj.com](mailto:jo.mcginity@wsj.com)  
516-883-2069  
[@mcjomcg](#)



**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/12/2017 9:51:17 PM  
**To:** Press [Press@epa.gov]  
**Subject:** FW: Subject: Quick press query on deadline from Bloomberg Environment

**From:** Shukovsky, Paul [mailto:PSHukovsky@bloomberglaw.com]  
**Sent:** Tuesday, December 12, 2017 4:48 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Subject: Quick press query on deadline from Bloomberg Environment

Mobile: Ex. 6 Personal Privacy (PP)  
Pshukovsky@bloomberglaw.com

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency

Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Daguillard, Robert  
**Sent:** Tuesday, December 12, 2017 3:33 PM  
**To:** 'pshukovsky@bloomberglaw.com' <pshukovsky@bloomberglaw.com>  
**Subject:** Subject: Quick press query on deadline from Bloomberg Environment

Hullo Paul,

My colleague Jeanne Kasai forwarded me your inquiry. Just a word to acknowledge receipt. We'll get back to you soonest.

Thanks, R.

Robert Dagguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Shukovsky, Paul [<mailto:PShukovsky@bloomberglaw.com>]  
**Sent:** Tuesday, December 12, 2017 2:00 PM  
**To:** Kasai, Jeanne <[Kasai.Jeanne@epa.gov](mailto:Kasai.Jeanne@epa.gov)>  
**Subject:** Quick press query on deadline from Bloomberg Environment

Hi Jeanne,

Is there any discussion or plans to withdraw, revoke or revise Ag Worker Protection Standards for pesticides that were implemented by EPA in the last year or two? Here's the federal register URL: <https://www.gpo.gov/fdsys/pkg/FR-2015-11-02/pdf/2015-25970.pdf>

**40 CFR 170**  
**[EPA-HQ-OPP-2011-0184; FRL-9931-81]**  
**RIN 2070-AJ22**  
**Pesticides; Agricultural Worker**  
**Protection Standard Revisions**

Thanks very much for your help, which is greatly appreciated.

Regards,

**Paul Shukovsky**  
Pacific Northwest Correspondent  
Seattle

**Bloomberg Law**

Mobile: [Ex. 6 Personal Privacy (PP)]  
[Pshukovsky@bloomberglaw.com](mailto:Pshukovsky@bloomberglaw.com)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/12/2017 9:02:36 PM  
**To:** Press [Press@epa.gov]  
**Subject:** FW: PRIA positions

I'll discuss with the program.

---

**From:** Stecker, Tiffany [mailto:tstecker@bloombergenvironment.com]  
**Sent:** Tuesday, December 12, 2017 3:58 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: PRIA positions

Robert and press team,

EPA is the only entity who would know for sure how many positions would be affected if PRIA expires. I can't get this information anywhere else, and I need it.

Please, please, please can you try a little harder get this information from staff? If there's absolutely no way to obtain this information, please explain why.

Again, my question is: *How many* (not what percentage of) positions in the Office of Pesticide Programs would be affected if PRIA is not authorized? Zero is an acceptable answer, if that is the truth.

Deadline is tomorrow COB

Thank you,

Tiffany

---

**From:** Stecker, Tiffany  
**Sent:** Friday, December 08, 2017 3:01 PM  
**To:** 'Daguillard, Robert' <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: PRIA positions

Yeah, but that doesn't answer my question. I already knew that 31% figure. It's been reported already.

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**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Friday, December 08, 2017 2:57 PM  
**To:** Stecker, Tiffany <tstecker@bloombergenvironment.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: PRIA positions

Thanks, Tiffany. The preceding is our response.

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**From:** Stecker, Tiffany [mailto:tstecker@bloombergenvironment.com]  
**Sent:** Friday, December 08, 2017 2:54 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** RE: PRIA positions

**Subject:** RE: PRIA positions

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/12/2017 8:37:47 PM  
**To:** George Plaven [gplaven@capitalpress.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Capital Press article

George, for attribution to "an EPA spokesperson," please:

"Much of the regulation is already in effect, however, as per the regulation, for particular pieces, the effective date is January 2, 2018."

Regards, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

**From:** George Plaven [mailto:gplaven@capitalpress.com]  
**Sent:** Tuesday, December 12, 2017 2:23 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Capital Press article

Hi Robert,

Thanks again for your help. In a nutshell, I am trying to see if/when the EPA's Worker Protection Standard rules will go into effect, or if the administration has planned changes in the works. Here in Oregon, regulators are crafting a compliance alternative to the 100-foot farmworker-pesticide buffer, though the Oregon Farm Bureau has questioned whether the federal rules will be overturned.

Feel free to email or call me at 503-385-4896.

--

George Plaven  
Reporter  
Capital Press  
(503) 385-4896  
[gplaven@capitalpress.com](mailto:gplaven@capitalpress.com)  
[Twitter.com/@George\\_Plaven](https://twitter.com/@George_Plaven)

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/12/2017 4:53:35 PM  
**To:** Rizzuto, Denise Pat [prizzuto@bloombergenvironment.com]; Press [Press@epa.gov]  
**Subject:** RE: question on 4th circuit's TSCA ruling

Pat, as you very likely suspected, and for attribution to "an EPA spokesperson," please:

EPA doesn't normally comment on pending litigation.

Warm regards as always, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Rizzuto, Denise Pat [mailto:prizzuto@bloombergenvironment.com]  
**Sent:** Tuesday, December 12, 2017 11:03 AM  
**To:** Press <Press@epa.gov>  
**Subject:** question on 4th circuit's TSCA ruling

It's incumbent to ask if EPA would like to comment, although I realize it typically doesn't on lawsuits. The 4<sup>th</sup> Circuit has transferred to the 9<sup>th</sup> circuit the lawsuits challenging the TSCA risk evaluation rule. EPA has petitioned to hear those—as well as the chemical prioritization rule—in the 4<sup>th</sup> circuit. Would the agency like to comment on the 4<sup>th</sup> circuit's ruling and/or the cases in general? Deadline 1 p.m. today.

\*\*\*\*\*

**Pat Rizzuto**  
Chemicals Reporter

**Bloomberg Environment**

(703) 341-3741  
[prizzuto@bna.com](mailto:prizzuto@bna.com)

Message

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**From:** Lu, Jennifer [jlu1@bloombergenvironment.com]  
**Sent:** 12/11/2017 10:23:54 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: question regarding "clear error" in NSR emisisions projections

Thanks for getting back to me. It's up to my editor whether this information is updated to the original story or included in a future story.

A quick follow up question: given the memo signals EPA's approach to new source review going forward, can you comment on how EPA views the Supreme Court's decision not to review the DTE Energy case, but to let the sixth circuit court of appeals decision stand?

Thanks,  
Jennifer

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**From:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Sent:** Monday, December 11, 2017 11:24:41 AM  
**To:** Lu, Jennifer  
**Cc:** Press  
**Subject:** RE: question regarding "clear error" in NSR emisisions projections

Jennifer, with apologies for the late reply, and for attribution to "an EPA spokesperson," please:

Can you please help me understand whether EPA has defined what "clear error" (pg 8 of Administrator Pruitt's memo on New Source Review from Dec 7) means yet, and if so, the definition?

We have not established any firm definition.

Also, I would like to know when and in what instances EPA would review new source review emissions projections under this memo's directives?

The memo describes EPA's current intended approach for future matters, decisions about how to proceed in ongoing enforcement matters will be made on a case-by-case basis. The memo clarifies that so long as a company complies with the procedural requirements of a preconstruction analysis, then EPA will not come in and second guess that analysis. Providing certainty and clarity on this issue is an important first step to encouraging investments across all industrial sectors to move forward with incorporating new technologies and improving operational efficiencies yielding both economic and environmental benefits.

Please let us know if you're able to update your story with the preceding information.

Regards, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)



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**From:** Lu, Jennifer [mailto:jlu1@bloombergenvironment.com]  
**Sent:** Friday, December 08, 2017 3:52 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** question regarding "clear error" in NSR emisisions projections

Hi Enesta,

Can you please help me understand whether EPA has defined what "clear error" (pg 8 of Administrator Pruitt's memo on New Source Review from Dec 7) means yet, and if so, the definition?

Also, I would like to know when and in what instances EPA would review new source review emissions projections under this memo's directives?

Thanks,  
Jennifer

Message

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**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 12/11/2017 8:40:58 PM  
**To:** ljenning@nrm.com  
**Subject:** RE: Media query - Restaurant Hospitality - Zero Waste facilities

Lisa—

For attribution to “an EPA spokesperson:”

Restaurants may send their food scraps to be composted or to an anaerobic digester<sup>[1]</sup>. They may also send their fats, oils, and greases to be recycled into biofuel. They would pay a hauler to take their food scraps, similarly to how they pay a hauler to take their trash or recycling. For more information on what restaurants are doing specifically, please refer to the National Restaurant Association’s (NRA) [ConServe Program](#) resources. For example, in 2014, the [NRA found](#) that 17% of restaurants are composting. For further information on food waste recycling in the restaurant industry, contact Jeff Clark ([JClark@restaurant.org](mailto:JClark@restaurant.org)). To learn more about anaerobic digestion (AD), please visit <https://www.epa.gov/anaerobic-digestion>. EPA is currently [collecting more information](#) from AD facilities in the U.S. to document the processing capacity, verify the end uses of AD products, etc.

For more information on locations of composting and anaerobic digestion sites, please see <http://findacomposter.com/> (this database does not contain every composting site in the U.S.). To get a sense of how much food waste is being composted and where, please refer to BioCycle, the leading source on organics recycling in the U.S. In October, BioCycle published [The State of Organics Recycling in the U.S.](#), which contains the results of a snapshot survey regarding composting and anaerobic digestion across the country. Both BioCycle and [EPA](#) have similar estimates for how much food waste is composted each year: approximately 2 million tons (information is not available regarding how much of that comes from restaurants). Some states have recently enacted landfill bans or diversion mandates, such as Massachusetts and California, respectively, that are expected to increase demand for food waste recycling such as composting and AD from businesses such as restaurants. For more information on how much compost is created, how it is used, regional trends, etc., please contact Nora Goldstein of BioCycle ([noragold@jgpress.com](mailto:noragold@jgpress.com)).

<sup>[1]</sup> Anaerobic digestion is a process through which bacteria break down organic matter—such as food waste and manure—without oxygen. As the bacteria “work,” they generate biogas. The biogas that is generated is made mostly of methane, the primary component of natural gas. The non-methane components of the biogas are removed so the methane can be used as an energy source.

Best,

Tricia

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<sup>[1]</sup> Anaerobic digestion is a process through which bacteria break down organic matter—such as food waste and manure—without oxygen. As the bacteria “work,” they generate biogas. The biogas that is generated is made mostly of methane, the primary component of natural gas. The non-methane components of the biogas are removed so the methane can be used as an energy source.

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

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**From:** Jones, Enesta  
**Sent:** Friday, December 08, 2017 12:25 PM  
**To:** [ljennings@nrn.com](mailto:ljennings@nrn.com)  
**Cc:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** FW: Media query - Restaurant Hospitality - Zero Waste facilities

Hi Lisa, I am happy to look into this for you. Do you have a deadline time on Monday?

---

**From:** Jennings, Lisa [<mailto:ljennings@nrn.com>]  
**Sent:** Thursday, December 07, 2017 12:26 PM  
**To:** Huitric, Michele <[Huitric.Michele@epa.gov](mailto:Huitric.Michele@epa.gov)>  
**Subject:** Re: press request/Zero Waste facilities

Hi Michele

I'm trying to get a sense of how the use of food waste-conversion facilities has expanded. Where are facilities for recycling food waste into compost, for example, and how many capture methane as a renewable energy source?

Where is the largest market for this (I'm guessing San Jose/San Francisco), and I'd love to get a sense of the scale, though I'm not sure what metrics are used. Can we say how many tons of compost are produced and how it's used, for example?

And I'd like to ask how the program works in general. How do restaurants get their waste to such facilities, for example, and what does it cost them?

On deadline for Monday, so hoping for a quick response. Can you help?

Lisa Jennings  
Restaurant Hospitality  
Los Angeles  
818-728-9008

Message

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**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 12/11/2017 8:39:21 PM  
**To:** adam.lidgett@law360.com  
**Subject:** RE: Law360 Press Request

Adam—

For attribution to “an EPA spokesperson,”

It is EPA policy not to comment on pending litigation.

**From:** Adam Lidgett [mailto:[adam.lidgett@law360.com](mailto:adam.lidgett@law360.com)]  
**Sent:** Monday, December 11, 2017 1:08 PM  
**To:** [Press@usdoj.gov](mailto:Press@usdoj.gov); Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Law360 Press Request

Hello,

My name is Adam Lidgett and I'm a reporter with Law360. I'm doing a story on the U.S. Environmental Protection Agency on Friday telling a Maine federal judge that it wouldn't change or withdraw any decisions in a suit from the state of Maine challenging the EPA's tightening of water quality standards for tribal waters. I was looking to see if you had a comment on that. I'm on deadline for about 3:15 p.m. EST today so if someone could get back to me by then that would be great. I can be reached here or at Ex. 6 Personal Privacy (PP) Thanks

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/11/2017 1:43:58 PM  
**To:** Titus, Rhea [RTitus@wusa9.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: TRICLOSAN UPDATE?

They have indeed. For attribution to "an EPA spokesperson," please:

When making our reregistration decision for triclosan, the level of concern was determined to be 0.27 mg/kg/day. The agency compared this level to the Centers for Disease Control and Prevention's National Health and Nutrition Examination Survey (NHANES) urine monitoring data. Based upon this comparison, EPA determined that triclosan exposure was below our level of concern. For more information about the assessment, please see: <https://www.regulations.gov/document?D=EPA-HQ-OPP-2011-0284-0011>

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Dec 8, 2017, at 6:39 PM, Titus, Rhea <[RTitus@wusa9.com](mailto:RTitus@wusa9.com)> wrote:

Hi Robert, did the program get back to you?

Thanks

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Friday, December 8, 2017 12:21 PM  
**To:** Titus, Rhea <[RTitus@wusa9.com](mailto:RTitus@wusa9.com)>  
**Subject:** RE: TRICLOSAN UPDATE?

\*External Email – Be Suspicious of Attachments, Links and Requests for Login Information\*

Hey Rhea,

Still waiting for a response from the program.

Thanks, R.

---

**From:** Titus, Rhea [<mailto:RTitus@wusa9.com>]  
**Sent:** Friday, December 08, 2017 12:12 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** TRICLOSAN UPDATE?

Hey Robert, just touching base about my question, thanks!

**RHEA TITUS**

WUSA9 News Researcher

<image001.jpg>

<image002.jpg> | 4100 Wisconsin Ave NW, Washington, DC 2001

[rtitus@wusa9.com](mailto:rtitus@wusa9.com) | P. 202.895.5507 |

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/15/2019 2:48:15 PM  
**To:** Ballard, Andrew [aballard@bloomberglaw.com]  
**CC:** Press [Press@epa.gov]; Nitsch, Chad [Nitsch.Chad@epa.gov]; White, Terri-A [White.Terri-A@epa.gov]  
**Subject:** RE: Press inquiry re state adoption of Section 304 ambient water quality criteria  
**Attachments:** BloombergLaw\_WV 2015 HHC\_FINAL.DOCX

Good morning Andrew,

Our response, attached, and for attribution to "an EPA Spokesperson," please.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Ballard, Andrew <aballard@bloomberglaw.com>  
**Sent:** Thursday, March 07, 2019 1:37 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Press inquiry re state adoption of Section 304 ambient water quality criteria

I am doing a prewrite for a story that will run when the governor signs a related bill into law (probably not for a couple of days),  
So by the end of the week if possible would be great  
Thanks again  
Andrew

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Thursday, March 07, 2019 1:36 PM  
**To:** Ballard, Andrew <aballard@bloomberglaw.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Press inquiry re state adoption of Section 304 ambient water quality criteria

Good afternoon Andrew,

Checking. When are you planning to publish your story?

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
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+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

On Mar 7, 2019, at 1:33 PM, Ballard, Andrew <[aballard@bloomberglaw.com](mailto:aballard@bloomberglaw.com)> wrote:

Hello- I am a staff correspondent for Bloomberg Law and am working on a story about West Virginia deferring the adoption of Section 304 ambient water quality criteria based on EPA's 2015 update (<http://src.bna.com/Gb6>).

I was told by an industry source that only three states -- Montana, Texas, and Washington-- have formally done so at this time.

Also was told that West Virginia applies human health criteria in a manner that is more stringent than in other jurisdictions and treats every source as if they were discharging into a drinking water supply

Can someone there confirm that those comments are accurate?

Thanks for your time and efforts!

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18  
 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36

**Andrew M. Ballard**  
Staff Correspondent  
Raleigh, NC

**Bloomberg Law**

Direct 919.841.1240

|      |                             |
|------|-----------------------------|
| Cell | Ex. 6 Personal Privacy (PP) |
|------|-----------------------------|

aballard@bloomberglaw.com



Message

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**From:** Lu, Jennifer [jlu1@bloombergenvironment.com]  
**Sent:** 12/8/2017 8:47:54 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: fenceline monitoring

Thanks for getting back to me.

---

**From:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Sent:** Friday, December 8, 2017 2:33:32 PM  
**To:** Lu, Jennifer  
**Cc:** Press  
**Subject:** RE: fenceline monitoring

**Jennifer, for attribution to an EPA spokesperson:**

In the proposal we discussed the theoretical concern that a refinery's own sources of benzene could cause elevated background concentrations that, when subtracted from the highest measured concentration, would bias low the contribution of the refinery. Since the proposal, we conducted more studies and reviewed industry study data that indicate that background concentrations at refineries are low and fairly stable. In the API 12-refinery study, the average background does not change significantly from urban to rural setting, and remains relatively constant (from 0.1 to 0.3 ppb). Further, most every instance of an elevated fenceline reading is associated with a known refinery emission source located upwind and we do not see any cases where the all the readings are high, and the  $\Delta C$  is very low. Therefore, we continue to believe this simple background correction is still valid and provides an accurate method to correct the highest fenceline concentration for background.

Also, note that EPA is collecting the actual monitor readings from the fenceline monitoring -- not just the delta c. So if this were to occur, the agency would know.

**From:** Lu, Jennifer [mailto:jlu1@bloombergenvironment.com]  
**Sent:** Thursday, December 07, 2017 5:19 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: fenceline monitoring

Thank you for clearing this up.

Can you please explain one more thing: whether and how the fenceline monitoring rule addresses scenarios where monitors across the board detect very high levels of benzene at the fenceline, but whose rolling annual delta C does not exceed the 9 ug/m3 threshold?

In other words, this is a hypothetical example, but say all the monitors detect X ug/m3 where X is a very dangerous amount. Since all the monitors detect that amount, the delta C will be 0 ug/m3. Obviously, the chances that all the monitors will read the exact same high benzene concentration is very low, but how does the rule apply to a scenario similar to this, though one based in reality where all the reading are high, so the delta C ends up does not exceed 9 ug/m3?

Thanks,  
Jennifer

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**From:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Sent:** Thursday, December 7, 2017 3:44:11 PM  
**To:** Lu, Jennifer  
**Cc:** Press  
**Subject:** RE: fenceline monitoring

Hi Jennifer, it's the latter – delta C.

---

**From:** Lu, Jennifer [<mailto:jlu1@bloombergenvironment.com>]  
**Sent:** Thursday, December 07, 2017 12:50 PM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>; Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: fenceline monitoring

Hi Enesta and Robert,

Can you please help me clarify one more thing about fenceline monitoring?

Is the corrective threshold for action 9 ug/m<sup>3</sup> or delta 9ug/m<sup>3</sup>? Based on my understanding of the rule (<https://www.gpo.gov/fdsys/pkg/FR-2014-06-30/pdf/2014-12167.pdf>) it's an absolute cut-off where corrective action is required if the rolling annual average from the highest monitoring data in each 2-week period exceeds 9 ug/m<sup>3</sup>.

But I've also seen technical memorandums from the EPA saying that the cutoff is a concentration difference (delta C) of 9 ug/m<sup>3</sup> where corrective action is required if the different between the highest and lowest monitor, taken as a rolling annual average, exceeds 9 ug/m<sup>3</sup>.

Which one is correct?

Thanks,  
Jennifer

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**From:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Sent:** Tuesday, November 28, 2017 2:30:59 PM  
**To:** Lu, Jennifer  
**Cc:** Press  
**Subject:** re: fenceline monitoring

Hi Jennifer, our additional responses are below – all attributable to an EPA spokesperson:

The EPA chose passive sorbent tube monitoring, partially because it's easier to use and because most refineries already own equipment like gas chromatography with FID. However, I noticed it was included in the in-house cost analysis (\$22,680). Does that mean that while some refineries will have to buy this piece of equipment, the estimated in-house cost could be \$22,680 less than the estimated total capital investment in cases where refineries already own this machine? And does the same apply for the desorption system?

**EPA Response:** In establishing the fenceline requirements in the Refinery Sector Rule, we considered a number of sampling approaches, including more “real-time” sampling approaches, such as open-path samplers and automatic gas chromatograph (auto-GC). However, we were not able to identify an open-path system capable of detecting benzene at sub-parts per billion volume (ppbv) levels necessary to demonstrate compliance with the fenceline requirements in the final rule.

Additionally, many open-path systems would be needed at a refinery to provide the same spatial coverage as the diffusive tubes around the fenceline, thus greatly increasing the sampling costs. While active monitoring systems like auto-GC are potentially capable of detecting benzene at sub-ppbv levels, like open-path systems, they could become very costly when enough monitors are deployed around the facility fenceline to approach the spatial coverage of the passive diffusive tubes. Fenceline monitoring using passive diffusive tubes (whether conducted in-house or contracted out) is significantly less costly than comparable systems based on open path or auto-GC technology. However, the final rule does contain provisions to allow for alternatives to the passive tubes provided the alternative monitoring approach can meet certain requirements set forth in the rule.

The cost analysis for the siting and analysis of the passive sorbent tubes per EPA Methods 325 A and B are provided in Attachments 1 through 3 of a June 4, 2015, memo, “Fenceline Monitoring Impact Estimates for Final Rule,” Docket Item EPA-HQ-OAR-2010-0682-0749. The capital cost estimates include the purchase cost of the GC with flame ionization detection (FID) and a thermal desorption system with autosampler, so if a facility already has this equipment and it is available to use to analyze the benzene extracted from the sorbent tubes, then the facility would not need to make this additional investment.

**What will the public database look like? I see a version in this slide, but understand this isn't finalized as the EPA is looking at stakeholder input:** [https://www.epa.gov/sites/production/files/2016-06/documents/industry\\_webinar\\_june\\_2016\\_0.pdf](https://www.epa.gov/sites/production/files/2016-06/documents/industry_webinar_june_2016_0.pdf)

**EPA Response:** We are still developing the public database discussed during the 2016 webinar outreach, and we are considering comments received during this outreach effort. As noted in the webinar, refineries are required to collect and analyze the sorbent tubes starting January 30, 2018. Refineries will begin reporting their data to EPA’s emissions data system on a quarterly basis starting Spring 2019, and we anticipate the data will be publically available Summer 2019.

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**From:** Lu, Jennifer [<mailto:jlu1@bloombergenvironment.com>]  
**Sent:** Wednesday, November 22, 2017 8:53 AM  
**To:** Gray, David <[gray.dmailto:jlu1@bloombergenvironment.comavid@epa.gov](mailto:gray.dmailto:jlu1@bloombergenvironment.comavid@epa.gov)>  
**Subject:** re: fenceline monitoring

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Hi David,

Like Anne Rolfes said, I'm doing a story on fenceline monitoring for benzene ahead of the Jan 30, 2018 requirement for installing passive sorbent tube monitors on the fenceline to collect data at two week intervals.

I'm trying to figure out where refineries are at meeting this deadline, how they're going about it (in-house or through a third-party contractor) and what input/questions they have from/for federal and state regulators overseeing the process.

Would you be able to help me figure out these questions some time today. My number is [Ex. 6 Personal Privacy (PP)] and I'll also be in the office on Friday.

Thanks,  
Jennifer Lu

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/8/2017 8:32:33 PM  
**To:** jo.mcginity@wsj.com  
**CC:** Press [Press@epa.gov]  
**Subject:** FW: FW: Wall Street Journal request (PING)

Jo, for attribution to "an EPA spokesperson," please:

- 1. I'd like to know what the current emissions standards are for leaf blowers, ideally explained in layman's language.**

See answer below.

- 2. I'd love to have a comparison between the leaf blower emissions standard and the automobile standard. Specifically, Edmunds, the automotive group, did an experiment a few years ago comparing the emissions from two- and four-stroke leaf blowers with the emissions of a Ford F-150 SVT Raptor truck and a Fiat 500 subcompact car. How do the emissions standards for those two vehicles compare to the standards that apply to leaf blowers (i.e., which one is stricter)?**

This question is a little more complicated than it appears. To answer this question you'd have to translate the standards into comparable units, which requires a lot of assumptions. For example our vehicle standards are defined in terms of pollution/unit distance, whereas the leafblower standards are in terms of pollution/unit work. To compare, you could, for example, compare how much a car and a leafblower, each meeting standards, would emit if used for an hour. But you'd have to make assumptions about how fast the car was going (to get to the miles the car would travel in an hour) and about how hard the leafblower was working to get to the horsepower part of kilowatt-hour in the standard.

Another approach that may be useful for your purposes would be to look at the total contribution of the emissions from small SI engines, the general category for small engines of this type and compare them to emission from other sources. It is important to note however that leaf blowers themselves are a small part off the small SI category overall. We have provided as estimate based on 2014 emission inventory numbers in the answer to #4 below.

If you do want to dive into the exact standards the reference is here: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P100OA0J.pdf>

With regard to emissions standards from light duty cars and trucks, we can provide an update on the change in Light-Duty standards since 2004 which are clearly more stringent than standards for small gasoline powered lawn and garden products.

The tier 2 standards which were in place through 2016 when they were fully implemented required a fleet average at the following emissions levels when tested in the lab on standard drive traces.

|            |                |
|------------|----------------|
| NMOG       | 0.090 g/mile   |
| NOx        | 0.07 g/mile    |
| NMOG + NOx | Not applicable |
| CO         | 4.2 g/mile     |

The tier 3 standards for light duty cars and trucks are being phased in from model years 2017 to 2025 and gradually becoming more stringent. When fully phased, in the Tier 3 standards will be as follows as tested in the laboratory under standard testing protocol:

|                        |              |
|------------------------|--------------|
| NMOG                   | NA           |
| NO <sub>x</sub>        | NA           |
| NMOG + NO <sub>x</sub> | 0.030 g/mile |
| CO                     | 1.0 g/mile   |

3. If possible, it would be helpful to know a bit about the history of the standard that applies to leaf blowers--how long it's been in effect, when it was first applied to leaf blowers and how it has changed over time (if at all).

EPA has regulated gasoline-powered nonroad engines less than 25 horsepower, such as those used in lawn and garden products, since 1997. EPA's regulations for such engines are applied separately to two broad categories of products, handheld equipment and non-handheld equipment. Handheld equipment are those types of products carried during operation, such as leaf blowers and chainsaws. Non-handheld equipment are those types of products not carried during operation, such as walk-behind mowers, riding tractors, and generators. Emission standards for hydrocarbons plus oxides of nitrogen (HC+NO<sub>x</sub>) and carbon monoxide (CO). The emission standards expressed on a gram per kilowatt-hour basis, are determined from the amount of regulated pollutants emitted per unit of work done by the engine over a specified laboratory test cycle that simulates how these engines are used in the real world.

4. I just read an old EPA statistic from 1998. Would it be possible to provide me with the current version of this information?

**Lawn and garden equipment and other small utility engines were the source for 3.5% of the volatile organic gas (VOC) emissions inventory and 10% of the carbon monoxide (CO) emissions inventory in the United States in 1998. Source: EPA Office of Air Quality Planning and Standard**

Please see below for the contribution from small nonroad SI and onroad light duty vehicles to the **mobile source** emissions inventory and the **total U.S.** emissions inventory (excluding biogenics) in 2014. The calculations below are based on 2014 National Emissions Inventory v1 which is publicly available (<https://www.epa.gov/air-emissions-inventories/2014-national-emissions-inventory-nei-data>) with some back of the envelope calculations to estimate the small SI engines.

Percent contribution to the **mobile source** inventory in 2014

|                   | NO <sub>x</sub> | VOC | PM2.5 | CO  |
|-------------------|-----------------|-----|-------|-----|
| Small Nonroad SI  | 2%              | 25% | 13%   | 30% |
| Onroad Light-Duty | 31%             | 47% | 17%   | 57% |

Percent contribution to the **total U.S.** emissions inventory in 2014

|                   | NO <sub>x</sub> | VOC | PM2.5 | CO  |
|-------------------|-----------------|-----|-------|-----|
| Small Nonroad SI  | 1%              | 2%  | 1%    | 15% |
| Onroad Light-Duty | 16%             | 3%  | 1%    | 29% |

While looking at the percentage of emissions that each source contributes to the total, it is also important to note that in absolute terms, national emissions of key air pollutants continue to decline from 1990 levels, largely

driven by federal and state implementation of stationary and mobile source regulations, and technological advancements from American innovators.

- Nitrogen Oxides (NO<sub>x</sub>) decreased by 59%
- Direct Particulate Matter 2.5 microns (PM<sub>2.5</sub>) decreased by 25%
- Volatile Organic Compounds (VOC) decreased by 42%
- Carbon Monoxide (CO) decreased by 66%

For more information on U.S. air quality trends go to: <https://gispub.epa.gov/air/trendsreport/2017/#highlights>

Regards, R.

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Ex. 6 Personal Privacy (PP)

 (M)

**From:** McGinty, Jo Craven [mailto:jo.mcginity@wsj.com]  
**Sent:** Thursday, December 07, 2017 4:16 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: FW: Wall Street Journal request (PING)

Yes. It's a little confusing because I write this week for next week. I would prefer to be able to talk to someone. Is that possible?

Jo

Jo Craven McGinty  
The Wall Street Journal  
[jo.mcginity@wsj.com](mailto:jo.mcginity@wsj.com)  
516-883-2069  
@mcjomcg

On Thu, Dec 7, 2017 at 4:14 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Jo,

My colleagues in our NYC office have forwarded me your inquiry. We're preparing a response for you. Is the end of this week your hard deadline?

Thanks, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** McGinty, Jo Craven [mailto:[jo.mcginity@wsj.com](mailto:jo.mcginity@wsj.com)]

**Sent:** Wednesday, December 06, 2017 11:43 AM

**To:** Deegan, Dave <[Deegan.Dave@epa.gov](mailto:Deegan.Dave@epa.gov)>

**Subject:** Wall Street Journal request

Hi, Dave,

I'm writing to ask for your help with a deadline request.

I write The Numbers column for the Wall Street Journal. I'm working on a piece about leaf blowers, and I'd like to talk to someone at the EPA about the emissions standards that apply to two- and four-stroke gasoline powered leaf blowers.

Bob McConnell in your office has written about this previously, and I thought he would be a good person to contact, but so far I've been unable to reach him.

Can you help? Ideally, I hope to speak to someone today. If Bob isn't available, hopefully someone else could talk about this by phone for a few minutes. If today won't work but another day this week will, let me know; I'm happy to work around your schedule as much as possible.

FYI, you can see my recent columns  
here: <https://www.wsj.com/news/types/the-numbers>

Best,

Jo



Jo Craven McGinty  
The Wall Street Journal  
[jo.mcginity@wsj.com](mailto:jo.mcginity@wsj.com)  
[516-883-2069](tel:516-883-2069)  
[@mcjomeg](#)

**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 12/8/2017 8:28:08 PM  
**To:** Ex. 6 Personal Privacy (PP)  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: (Time-Sensitive) Press Inquiry

Hi Isaac, for attribution to an EPA spokesperson:

Questions about where the Clean Water Act applies are a key priority of the Administration and we are approaching it from several fronts.

In order to provide as much certainty to the regulated community as quickly as possible during the development of a new definition of “waters of the U.S.,” the agencies are pursuing a two-step process:

1. Publication of a proposed rule to recodify prior regulation. On July 27, the agencies proposed to recodify the regulation in place prior to issuance of the 2015 CWR and currently being implemented under the U.S. Court of Appeals for the 6<sup>th</sup> Circuit’s stay of the 2015 CWR. The public comment period closed September 27, 2017.
2. Development of a New Definition. The agencies plan to propose a new definition to replace the approach in the 2015 Rule with one that considers the principles that Justice Scalia outlined in the *Rapanos* plurality opinion. The agencies held a formal pre-proposal consultation process with states, local governments and tribes this past spring. In addition, the agencies hosted a series of 11 listening sessions from September through November 2017, giving other stakeholders an opportunity to provide pre-proposal recommendations.

Until a new rule is finalized, the agencies will continue to implement the regulatory definition in place prior to the 2015 Rule, consistent with the 2003 and 2008 guidance, in light of the *SWANCC* and *Rapanos* decisions, pursuant to the 6<sup>th</sup> Circuit stay of the 2015 Rule.

Most recently, the U.S. Environmental Protection Agency (EPA) and U.S. Department of the Army (the agencies) have proposed to amend the effective date of the 2015 rule defining “waters of the United States.” The agencies are proposing that the 2015 rule would not go into effect until two years after today’s action is finalized and published in the Federal Register. This amendment would give the agencies the time needed to reconsider the definition of “waters of the United States.”

More information on these rulemaking efforts and associated actions is available at <https://www.epa.gov/wotus-rule/>.

The key term is that the Clean Water Act addresses “navigable waters,” which is then further defined in the Act as “waters of the United States” (or WOTUS). The Clean Water Act did not define WOTUS; Congress left further clarification to agencies. EPA and the Department of the Army (Army) have defined WOTUS by regulation since the 1970s. More information on the 2015 definition and the 1986/88 definition, which is being implemented today, can be found at <https://www.epa.gov/cwa-404/definition-waters-united-states-under-clean-water-act/>. (The 2015 definition in the CFR is a link at the bottom of the page).

In 2006, the Supreme Court justices provided the agencies with two possible tests for determining whether waters were sufficiently connected to “navigable waters”. The plurality opinion of Justice Scalia offered one approach, and the concurring opinion written by Justice Kennedy offered another approach. In 2007 and 2008 the agencies wrote guidance to the field indicating how the *Rapanos* case should be considered. Given the stay of the 2015 rule, that guidance is still

in effect, and more details can be found <https://www.epa.gov/cwa-404/definition-waters-united-states-under-clean-water-act> under "Guidance documents."

**From:** Isaac Windes [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]  
**Sent:** Wednesday, November 29, 2017 5:21 PM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Re: (Time-Sensitive) Press Inquiry

What is the status of the review of the WOTUS rule as directed by Trump's February Executive Order- When can it be expected?

What does the EPA currently use as a definition for "navigable water source"?

How does the significant nexus test play into the current regulations by the EPA?

Thanks for getting back to me.

On Wed, Nov 29, 2017 at 4:43 PM, Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Isaac—

I'm happy to look into a call, but please be aware that they're not always available, and definitely wouldn't be available at this point in the day.

At this point in the day it will likely be difficult to get you responses by your deadline. If you'd still like a response, can you please send a list of your specific questions and your hard deadline?

Thanks so much,

Tricia

**From:** Isaac Windes [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]  
**Sent:** Wednesday, November 29, 2017 2:47 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** (Time-Sensitive) Press Inquiry

Hello,

My name is Isaac Windes and I am a reporter with Cronkite News in Washington.

I am working on a story about the Waters of the U.S (WOTUS) Rule and I was wondering if I could talk to someone about what the current status of that program is.

I was wondering where the required review under the February Executive Order by the Trump administration is.

I also had a few questions to clarify what exactly the WOTUS rules are, and what jurisdictions they have.

I am on a deadline for later today so if you can get back to me as soon as possible here or at 520-906-8279.

Thanks, I look forward to speaking with you.

--

Isaac Windes

Walter Cronkite School of Journalism and Mass Communication

Reporter - Cronkite News/Arizona PBS Washington D.C Bureau

520-906-8279 | **Ex. 6 Personal Privacy (PP)**

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Isaac Windes

Walter Cronkite School of Journalism and Mass Communication

Reporter - Cronkite News/Arizona PBS Washington D.C Bureau

520-906-8279 | **Ex. 6 Personal Privacy (PP)**



**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/8/2017 7:26:26 PM  
**To:** Abrahm Lustgarten [Abrahm.Lustgarten@propublica.org]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: ProPublica questions re IRIS review of RDX

Abrahm, our response to your follow-up questions, for attribution to “an EPA spokesperson,” please:

**1) If RDX’s cancer hazard rating can fit both descriptors we discussed, why not take the most precautionary approach and assign the “likely” descriptor as a way to be safest?**

EPA’s mission is to protect human health and the environment. Foundational to that mission is that the scientific assessments developed by the Agency arise through scientific deliberation and are subject to rigorous peer review - so that the science that ultimately informs Agency decisions can withstand scrutiny. The intent in an IRIS assessment is to look at the totality of evidence, human, animal, and mechanistic, in order to make a conclusion as to the hazard of a given chemical. As noted in the cancer guidelines, “Descriptors represent points along a continuum of evidence; consequently, there are gradations and borderline cases that are clarified by the full narrative” (pg 2-51). Recognizing this continuum, and considering both descriptors, EPA concluded in the peer review draft that the evidence more strongly supported the “suggestive evidence of carcinogenic potential” (evaluation of the carcinogenicity data can be found on pages 1-61 to 1-70, and 1-73 to 1-75 of the peer review draft). Acknowledging that the selection of a cancer descriptor was likely to be an important science issue, EPA highlighted the arguments for both descriptors in the draft assessment and specifically directed the peer review panel to consider whether the correct descriptor had been selected. The Science Advisory Board concurred with the “suggestive” descriptor in their peer review report, and raised additional arguments to be considered as well (see pages 58-62 of the SAB peer review report). EPA is carefully reviewing and considering the SAB’s recommendations while revising the IRIS assessment for RDX.

**2. Is the EPA less likely to pursue a regulatory limit for RDX with the “suggestive” hazard descriptor?**

A. EPA included RDX on its most recent Contaminant Candidate List (CCL) published in 2016. The CCL is a list of contaminants that are known or anticipated to occur in drinking water that may require regulation. Additionally, approximately 4100 public water systems monitored drinking water for RDX as part of the second cycle of the Unregulated Contaminant Monitoring Rule (UCMR 2). UCMR represents the Agency’s current effort to characterize the levels at which particular unregulated contaminants are occurring in drinking water and measure the frequency of that occurrence on a national basis. EPA will consider occurrence data along with health effects information as part of the agency’s regulatory determinations process to evaluate the opportunity for National Primary Drinking Water Regulation (NPDWR).

**3.Does the new RfD from ATSDR change the health advisory guidelines for drinking water found in 2012 table?**

EPA Office of Water has a health advisory level for RDX found in [the 2012 Drinking Water Standards and Health Advisory Table](#) . The Health Advisory (HA) Program, sponsored by the EPA’s Office of Water (OW), publishes concentrations of drinking water contaminants at Drinking Water Specific Risk Level Concentration for cancer (10-4 Cancer Risk) and concentrations of drinking water contaminants at which noncancer adverse health effects are not anticipated to occur over specific exposure durations - One-day, Ten-day, and Lifetime - in the *Drinking Water Standards and Health Advisories* (DWSHA) tables.

The DWSHA tables are revised periodically by the OW so that the benchmark values are consistent with the most current Agency assessments. Reference dose (RfD) values are updated to reflect the values in the Integrated Risk Information System (IRIS) and the Office of Pesticide Programs (OPP) Reregistration Eligibility Decisions (REDs) documents. The associated Drinking Water Equivalent Level (DWEL) is recalculated accordingly. Thus, Office of Water

would update the health advisory values in a future revision of the Drinking Water Standards and Health Advisory tables if new toxicity information is available from the Agency or another source that meets our data quality standards.

A Lifetime noncancer benchmark is made available to risk assessment managers for comparison to the cancer risk level drinking water concentration (10<sup>-4</sup> Cancer Risk) and to determine whether the noncancer Lifetime HA or the cancer risk level drinking water concentration provides a more meaningful scenario-specific risk reduction. In this regard, the Office of Water defines the Lifetime HA as the concentration in drinking water that is not expected to cause any adverse noncarcinogenic effects for a lifetime of exposure, whereas the 10<sup>-4</sup> Cancer Risk is the concentration of the chemical contaminant in drinking water that is associated with a specific probability of cancer. The Office of Water also advises consideration of the more conservative cancer risk levels (10<sup>-5</sup>, 10<sup>-6</sup>), found in the IRIS or OPP RED source documents, if it is considered more appropriate for exposure-specific risk assessment.

Regards, R.

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Ex. 6 Personal Privacy (PP) (M)

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**From:** Abrahm Lustgarten [mailto:Abrahm.Lustgarten@propublica.org]  
**Sent:** Wednesday, November 29, 2017 3:24 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Subject:** Re: ProPublica questions re IRIS review of RDX

Thank you. Appreciate it.

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**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** Wednesday, November 29, 2017 at 12:21 PM  
**To:** Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>  
**Cc:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Subject:** RE: ProPublica questions re IRIS review of RDX

Thanks, Abrahm,

I'll forward these questions to my colleagues in the research program. My colleague Enesta (cc'ed here) will follow up with you, since I'm out of town Thursday and Friday.

We'll do our best to get back to you by the end of the week. Let us know if there's any chance your **\*hard\*** deadline might fall later.

Cheers, R.

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**From:** Abrahm Lustgarten [mailto:Abrahm.Lustgarten@propublica.org]

**Sent:** Wednesday, November 29, 2017 3:01 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Cc:** Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>

**Subject:** ProPublica questions re IRIS review of RDX

**Importance:** High

Robert,

Per my email earlier this week, here are a number of questions I have for my upcoming reporting on the EPA's toxicological review of RDX. My timing is urgent – these are questions which have come up in very late edits. I'll need a response by the end of this week and am hoping that will be possible.

My story traces the history of RDX, from its development for defense purposes, to the significant cases of environmental contamination, and examines how the Department of Defense has approached the problems presented by it over several generations. A part of that story, of course, is the fact that the EPA now has a toxicological review underway, and that is the context for the following questions:

- Could you please clarify dates for the following regarding EPA's toxicology reviews of RDX:
  - o The year the EPA first undertook an analysis of RDX
  - o The year the EPA calculated a cancer slope factor for RDX
  - o When the EPA announced or made known its plan to begin the current IRIS review of RDX
  - o When the current IRIS review of RDX was launched
  - o When (even approximately) the EPA expects its current IRIS review of RDX to be completed.
- In general, the concern has been raised to me that the EPA is poised to soften its conclusions about the cancer and non-cancer risks RDX poses to people, to soften its cancer hazard rating, raise the rfd, and minimize the uncertainty factors around existing research. My sources say that EPA documents and other factors signaled the agency was likely to strengthen its warnings about RDX, and that the current late IRIS draft appears to be a reversal of those expectations. Could you please respond to that general concern?
- What was RDX's formal EPA cancer hazard classification prior to the start of the current review? I see the language "possible" human carcinogen in documents, but that phrase is not among the categories outlined in the EPA's current cancer hazard terminology, so it is unclear where it fits on the scale or what it means. What is the difference between "possible human carcinogen" and "suggestive"?
- Some experts have said that a cancer slope factor is only calculated when it is already believed a substance causes cancer, and that its existence for RDX signaled that the EPA was poised to increase its cancer hazard rating for RDX. Would a cancer slope factor normally be calculated for a substance with a "suggestive" cancer hazard classification?
- How can RDX be given a "suggestive" cancer hazard classification when it clearly meets the criteria laid out by the EPA for a "likely" classification? (ie: two examples of tumors in two species.)
- Public comments for the current IRIS review of RDX mention advocacy for a "weight of evidence" approach. Can you explain what that term means in this context, or for EPA tox reviews in general? And can you respond to the concern that an approach which considers the number of studies over the quality of the studies risks downplaying the significance of research which is not replicated a number of times?



- Some critics of the IRIS review process, including Ronald Melnick, former NIH toxicologist, have suggested that the Department of Defense and the chemical industry have swayed the IRIS review process for RDX, achieving a lower cancer hazard rating, and generally softening the review (lower BMR, lower uncertainty values, etc). The assertion is that a disproportionate amount of the research on RDX is funded by the DoD, and that most of that recent research supports a lower cancer hazard rating and generally lower perception of risk. That the DoD advocated throughout the IRIS review periods for conservative assessments, and was supported with comments and presentations by the ACC, advocating for a “weight of evidence” approach. Could the EPA please respond to these concerns?
- Could you please explain what is meant by a Benchmark Response threshold of 1% vs 5% -- what does this mean and why is it significant and why has the EPA included final language in its current RDX draft which its SAB peer review disagrees with?
- Finally, this 1995 ATSDR tox summary of RDX characterizes the cancer studies as having a single positive response (mice, 1984) <http://www.denix.osd.mil/cmrmr/ecmr/rdx/policy/unassigned/atsdr-toxicity-profile-for-rdx/>

“No studies are available regarding cancer in humans or animals following inhalation or dermal exposure to RDX. No human oral studies are available, but there are a few animal oral studies. Two chronic exposure studies in rats reveal no evidence of neoplasms (Army 1983a; Navy 1976). One study in mice found statistically increased incidences of combined hepatocellular adenomas and carcinomas in females (Army 1984c). However, the results of this study are preliminary and suggestive, since no human data are available and carcinogenic effects were not noted in rat studies. More data are needed to better evaluate the carcinogenic potential of RDX. The study in mice (Army 1984c) was used by the EPA (IRIS 1994) to develop an oral slope factor of 0.1 mg/kg/day. A concentration of 30 µg/L in the drinking water is estimated to produce an increased risk in 1 out of 10,000 persons. The weight of evidence (no human data, positive animal responses in only one sex of one animal species) was used by the EPA (IRIS 1994) to classify RDX in Group C-- possible human carcinogen.”

While the 2014 interagency draft EPA IRIS review document characterizes the literature as two positive cancer results in two studies, (rats 1983, mice 1984) – Can you explain the discrepancy?

[file:///Users/abrahmlustgarten/Dropbox/Military%20Waste/RDX%20research/IRIS%20Review%20December%20%2017%20ReVISIT/RDX\\_IRIS\\_TR\\_INTERAGENCY\\_SCIENCE\\_CONSULTATION\\_DRAFT.PDF](file:///Users/abrahmlustgarten/Dropbox/Military%20Waste/RDX%20research/IRIS%20Review%20December%20%2017%20ReVISIT/RDX_IRIS_TR_INTERAGENCY_SCIENCE_CONSULTATION_DRAFT.PDF)

#### p. 32 “Evidence for Human Carcinogenicity

Under EPA’s Guidelines for Carcinogen Risk Assessment (U.S. EPA, 2005a), the database for RDX provides “suggestive evidence of carcinogenic potential” based on the finding of statistically significant trends for hepatocellular adenomas or carcinomas and alveolar/bronchiolar adenomas or carcinomas in female, but not male, B6C3F1 mice (Lish et al., 1984). This is further supported by the finding of a statistically significant trend for hepatocellular carcinomas in male, but not female, F344 rats (Levine et al., 1983) exposed to RDX in the diet for two years.”

Abrahm Lustgarten  
Senior Reporter, ProPublica  
917-589-1262  
Signal: Ex. 6 Personal Privacy (PP)

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/8/2017 6:43:03 PM  
**To:** jason.stoogenke@wsoc-tv.com  
**CC:** Press [Press@epa.gov]  
**Subject:** EPA Response: Your questions on pesticide label registration

Jason, on Tricia's behalf, and for attribution to "an EPA spokesperson," please:

The product is a registered by EPA and the registration number is correct (see: [https://www3.epa.gov/pesticides/chem\\_search/ppls/035900-00003-20120110.pdf](https://www3.epa.gov/pesticides/chem_search/ppls/035900-00003-20120110.pdf)). The EPA Registration Number and the Establishment Number are required on all pesticide product labels.

The reporter has included a representation of a logo, as well as certain claims, that EPA would not allow on the pesticide label.

All pesticide products must be registered or exempted by EPA's Office of Pesticides Programs before they may be sold or distributed in the United States. EPA requires extensive scientific data on the potential health and environmental effects of a pesticide before granting a registration, which is a license to market that product in the United States. EPA evaluates the data and uses the results of those evaluations to set of conditions, directions, and precautions for use of the product – such as who may use it, as well as where, how, how much, and how often it may be used. More information about EPA's pesticide registration process can be found at <https://www.epa.gov/pesticide-registration/about-pesticide-registration>.

Pesticide product labels provide critical information about how to safely and legally handle and use pesticide products. Unlike most other types of product labels, pesticide labels are legally enforceable, and all of them carry the statement: "It is a violation of Federal law to use this product in a manner inconsistent with its labeling." In other words, the label is the law. More information about pesticide labels can be found at <https://www.epa.gov/pesticide-labels>.

Regards, R.

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Ex. 6 Personal Privacy (PP)

 (M)

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/8/2017 6:41:04 PM  
**To:** jburns@opb.org  
**CC:** Press [Press@epa.gov]; Skadowski, Suzanne [Skadowski.Suzanne@epa.gov]; MacIntyre, Mark [Macintyre.Mark@epa.gov]  
**Subject:** EPA Response: Your questions on the Worker Protection Standard

Jess, for attribution to "an EPA spokesperson," please:

Much of the regulation is already in effect, however, as per the regulation, for particular pieces, the effective date is January 2, 2018.

Regards, R.

Robert Daguillard  
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Ex. 6 Personal Privacy (PP) (M)

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/8/2017 6:34:14 PM  
**To:** Chris Sweeney [csweeney@bostonmagazine.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** FW: information on dry ice for rodent control?

Chris, for attribution to “an EPA spokesperson,” please:

Background information:

FIFRA requires that before a product can be marketed for the control of a pest, it must be registered by EPA. After the agency issues a federal registration, most states have their own registration program that must be satisfied before the product can be sold and used within the state. EPA registers pesticides based on scientific data and other information sufficient for the agency to conclude that it can perform its intended function without posing unreasonable risks to people or the environment. Each registered pesticide product must have EPA-approved labeling, which includes detailed instructions and precautions. Use of a pesticide product in a manner contrary to the approved labeling is against the law.

1. **What is the current status of dry ice with regard to use in Boston—is the city cleared to use it?**

EPA registered Bell Laboratories’ dry ice product (“Rat Ice”) at the national level, so any state that wishes to register it at the state level may do so. If Massachusetts Department of Agricultural Resources (MDAR) decides to register it in the Commonwealth of Massachusetts, the City of Boston would then be able to use it.

2. **Can you provide an overview of the steps the city of Boston needed to take in order to get dry ice approved by EPA? What information did the city have to provide to EPA?**

It is already approved by EPA. The city is not required to provide any information to EPA to get pesticide products approved, as providing data is the registrant’s responsibility. On June 29, 2017, EPA registered Bell Laboratories’ dry ice product called, “Rat Ice,” for control of burrowing rats. Bell Laboratories addressed the data requirements in their application to register the dry ice product. As mentioned above, if Massachusetts Department of Agricultural Resources (MDAR) decides to register it in the Commonwealth of Massachusetts, the City of Boston would then be able to use it.

Other information: We expect the federal registration will provide localities and pest management professionals with another tool in efforts to control these pests. Dry ice complements other registered lethal baiting and contraceptive control pesticides and offers unique characteristics that applicators may find useful. This is a single pesticide registration, and the registrant (Bell Laboratories) can package and sell it with different brand names. How they market the product is at the sole discretion of Bell Laboratories, as long as they comply with the registration requirements.

3. **Are there any available studies you can point me toward on efficacy of dry ice for rodent control and environmental safety of the method?**

You can find the documents related to the registration review (the comprehensive review required every 15 years) of carbon dioxide here: [www.regulations.gov/docket?D=EPA-HQ-OPP-2007-0705](http://www.regulations.gov/docket?D=EPA-HQ-OPP-2007-0705). Dry ice is the solid form of carbon dioxide. Carbon dioxide has been registered as a pesticide for over 30 years as a treatment for insect pests in stored grains and other commodities. Carbon dioxide in the

environment is natural and when applied in the form of dry ice to rat burrows simply changes the amount of CO2 within the treated space as the dry ice vaporizes.

4. **Has EPA seen uptick in interest among large cities that want to use dry ice method?**

Yes, we have heard of other cities that were interested in this method.

5. **Will cities that use dry ice in rodent control be required to submit reports/studies to EPA on ongoing basis?**

No.

Regards, R.

---

**From:** Chris Sweeney [mailto:csweeney@bostonmagazine.com]

**Sent:** Wednesday, November 29, 2017 3:36 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** RE: information on dry ice for rodent control?

Nice speaking earlier today, Robert.

Here are the questions I'm hoping you can help answer:

\*What is the current status of dry ice with regard to use in Boston—is the city cleared to use it?

\*Can you provide an overview of the steps the city of Boston needed to take in order to get dry ice approved by EPA?  
What information did the city have to provide to EPA?

\*Are there any available studies you can point me toward on efficacy of dry ice for rodent control and environmental safety of the method?

\*Has EPA seen uptick in interest among large cities that want to use dry ice method?

\*Will cities that use dry ice in rodent control be required to submit reports/studies to EPA on ongoing basis?

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Wednesday, November 29, 2017 10:28 AM

**To:** Deegan, Dave <Deegan.Dave@epa.gov>; Chris Sweeney <csweeney@bostonmagazine.com>

**Cc:** Bender, Emily <Bender.Emily@epa.gov>

**Subject:** RE: information on dry ice for rodent control?

Good morning Chris and thanks to Dave for forwarding.

I'll be in touch shortly.

Cheers, R.

---

**From:** Deegan, Dave

**Sent:** Wednesday, November 29, 2017 10:27 AM

**To:** Chris Sweeney <csweeney@bostonmagazine.com>; Daguillard, Robert <Daguillard.Robert@epa.gov>

**Cc:** Bender, Emily <Bender.Emily@epa.gov>; Deegan, Dave <Deegan.Dave@epa.gov>

**Subject:** RE: information on dry ice for rodent control?

Hi Chris,

I'm copying my colleague Robert Daguillard, who works in EPA's HQ press office. He works closely with EPA's Office of Pesticide Programs, which is the office that oversees pesticide regulatory issues.

EPA completed a review on at least one dry ice product intended to be used as a pesticide to control rats, and the Agency issued a "registration" for that product in June 2017, so there is now an approved and lawfully available dry ice product for rat control available to municipal officials.

Robert and the folks at OPP can provide you with whatever additional info you need.

Thanks and Best Regards,  
Dave

~~~~~

Dave Deegan

U.S. EPA, New England Regional Office

Media Relations | Social Media | Web Content

phone: 617.918.1017 | mobile: Ex. 6 Personal Privacy (PP)

email: [deegan.dave@epa.gov](mailto:deegan.dave@epa.gov)



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**From:** Chris Sweeney [<mailto:csweeney@bostonmagazine.com>]

**Sent:** Tuesday, November 28, 2017 11:53 AM

**To:** Bender, Emily <[Bender.Emily@epa.gov](mailto:Bender.Emily@epa.gov)>; Deegan, Dave <[Deegan.Dave@epa.gov](mailto:Deegan.Dave@epa.gov)>

**Subject:** information on dry ice for rodent control?

Hi Emily and Dave,

Chris Sweeney from Boston Magazine here. Hope you two are doing well and getting back into the swing of things after Thanksgiving.

I am working on a piece about rats in Boston—how we live with them, how we fight them, and why there are so many. I was hoping to line up an interview with someone who can discuss the rules around using dry ice in rodent control efforts. My understanding is that the city of Boston began using it, the EPA put the program on hold because dry ice isn't approved for such uses, and now the process of getting approval is ongoing.

Would love some background information and to interview a person who is familiar with the situation and can explain the process, the EPA's concerns, and shed a bit of light on the issue.

It would be ideal to complete the interview by next Tuesday, if possible.

Very best,

Chris Sweeney  
Senior Editor  
Boston Magazine

Ex. 6 Personal Privacy (PP)

Message

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**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 12/8/2017 4:55:58 PM  
**To:** Catherine Clabby [Ex. 6 Personal Privacy (PP)]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Request for information regarding new PFAS programming

Cathy, that investigation is ongoing.

---

**From:** Catherine Clabby [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Friday, December 08, 2017 11:54 AM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Request for information regarding new PFAS programming

Super. Thank you Enesta.

One more question. You told me some months ago that EPA was evaluating whether Chemours, and I assume DuPont, did not comply with the 2009 consent decree that allowed the companies to produce GenX as long as no more than 1 percent was released into the environment. What is the status of that review?

Best wishes again,  
Cathy

---

Catherine Clabby | Journalist  
919.423.6163 @cathyclabby

On Dec 8, 2017, at 11:47 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Cathy, attributable to an EPA spokesperson:

EPA is working to identify near-term actions that the agency can take to address PFAS in the environment and help support local communities. The agency will also be working to identify and enhance coordination with our federal partners, the states and tribes. Over the years, EPA has coordinated with other federal agencies including DOD, HHS, and FDA on the PFOA/PFOS health advisories and other efforts related to PFAS. We have also worked closely with states and tribes on site-specific/local issues. Within the agency, EPA's water and research offices are leading these efforts and they will bring together expertise from across the agency and from throughout the regions.

The PFAS press release:  
<https://www.epa.gov/newsreleases/epa-launches-cross-agency-effort-address-pfas>

I'll be sure to add you to the PFAS press release distribution list.

---

**From:** Catherine Clabby [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Friday, December 08, 2017 8:46 AM

**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Request for information regarding new PFAS programming

Hello Enesta.

Cathy Clabby here, from *North Carolina Health News*. You and I have corresponded before regarding concerns about PFAS pollution originating from the Chemours chemical plant complex in our state.

I'm writing about two things.

I'm requesting the written description of the EPA "cross-agency" initiative described [here](#) that is relevant to this contamination.

Also, what steps can I take to make sure that I am on any press mailings from EPA activity regarding PFAS, in North Carolina and elsewhere in the country.

Best wishes,  
Cathy



Catherine  
Clabby

Catherine Clabby (Sr. Environmental Reporter) is a science journalist and editor who has worked in newspaper, magazine, and digital book publishing. She is editor and co-author of *An Evolutionary War: Humanity Versus Malaria*, a digital, multimedia book under development. Catherine was senior editor of *EO Wilson's Life on Earth*, the digital-only biology textbook series produced in 2014. Much of her written and multimedia content for LOE focused on ecology. An alum fellow of the year-long MIT Knight Science Journalism Program, she is a former senior editor at *American Scientist* magazine in Research Triangle Park and a former science reporter at the *News & Observer* in Raleigh, N.C.

---

Catherine Clabby | Journalist  
919.423.6163 @cathyclabby

On Oct 18, 2017, at 2:53 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, the responses to your follow-up questions are below. Please attribute them to an agency spokesperson.

**1. You heard Dr. Strynar say that he took a more difficult path to characterize the unknown PFAS compounds in the Cape Fear River. That's because if he had obtained information that DuPont had submitted to EPA regarding what it was producing, he could have faced limitations on what he could have made public.**



Is there any effort afoot within the agency to change that practice so that EPA scientists can obtain information filed with the agency when studying emerging contaminants without facing limitations on public disclosure about what chemicals are being released by manufacturing facilities? PFAS were of enough concern that EPA required sampling for them as part of the 3rd unregulated contaminant monitoring rule. (See list of compounds in screen grab below.)

Our process for protection of and access to materials claimed as confidential business information (CBI) is consistent with the framework laid out under the Toxic Substances Control Act. Provisions are in place for federal employees to access CBI if needed for the required performance of their jobs.

**2. Will EPA continue to support Dr. Strynar's efforts to look for and identify unregulated chemicals released by industrial sites during the Trump Administration?**

Yes. One of Administrator Pruitt's priorities for EPA is to provide support to the states. The work EPA is currently doing on GenX in NC is at the request of NC DEQ.

Perfluorinated Compounds: EPA Method 537		
<b>perfluorooctanesulfonic acid (PFOS)</b> 1763-23-1	0.04	Surfactant or emulsifier; used in fire-fighting foam, circuit board etching acids, alkaline cleaners, floor polish, and as a pesticide active ingredient for insect bait traps; U.S. manufacture of PFOS phased out in 2002; however, PFOS still generated incidentally
<b>perfluorooctanoic acid (PFOA)</b> 335-67-1	0.02	Perfluorinated aliphatic carboxylic acid; used for its emulsifier and surfactant properties as fluoropolymers (such as Teflon), fire-fighting foams, cleaners, cosmetics, greases and lubricants, paints, polishes, adhesives and photographic films
<b>perfluorononanoic acid (PFNA)</b> 375-95-1	0.02	Manmade chemical; used in products to make them stain, grease, heat and water resistant
<b>perfluorohexanesulfonic acid (PFHxS)</b> 355-46-4	0.03	Manmade chemical; used in products to make them stain, grease, heat and water resistant
<b>perfluoroheptanoic acid (PFHpA)</b> 375-85-9	0.01	Manmade chemical; used in products to make them stain, grease, heat and water resistant
<b>perfluorobutanesulfonic acid (PFBS)</b> 375-73-5	0.09	Manmade chemical; used in products to make them stain, grease, heat and water resistant

On Oct 17, 2017, at 12:23 PM, Catherine Clabby <Ex. 6 Personal Privacy (PP)> wrote:

Thank you Enesta. I'm hoping I'm on the press release list if and when the EPA does make an announcement on this matter or anything else related to PFAS contamination in North Carolina and our region.

Thank you again for your swift help.

Cathy

---

Catherine Clabby | Journalist  
919.423.6163 @cathyclabby

On Oct 17, 2017, at 12:20 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, attributable to an agency spokesperson:

No new information at this time.

On Oct 17, 2017, at 9:40 AM, Catherine Clabby  
<[Ex. 6 Personal Privacy \(PP\)](#)> wrote:

Hi Ernesta. Is there any news yet regarding the Chemours investigation we've corresponded about before? Is it finished? Likely to be finished soon?

If done, what are the results?

My deadline is Wednesday this week.

Best wishes,  
Cathy Clabby

On Sep 7, 2017, at 7:18 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, for attribution to an EPA spokesperson:

The investigation is still ongoing. It's EPA policy not to discuss ongoing investigations.

---

**From:** Catherine Clabby  
**[mailto:]** [Ex. 6 Personal Privacy \(PP\)](#)  
**Sent:** Thursday, September 07, 2017 3:17 PM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** Re: Checking in for update re: Chemours PFAS compounds released in Cape Fear River

Thank you!

Tomorrow is my deadline. Sunday really but I hope you do not work in weekends!

Cathy

On Sep 7, 2017, at 3:14 PM, Jones, Enesta  
<[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, I'll look into this.  
What's your deadline?

On Sep 7, 2017, at 3:13 PM,  
Catherine Clabby  
<Ex. 6 Personal Privacy (PP)>  
wrote:

Hello Enesta.

You helped me earlier this summer regarding getting information about EPA's investigation regarding Chemours Co's compliance with a 2009 order EPA issued under the TSCA regarding the production of GenX. (Please see email thread below.) Thank you again for that!

I'm checking in to learn about the status of that investigation you described.

At what stage is the probe now?

Has EPA found evidence that Chemours did not comply with the order.

Does EPA expect to take any regulatory action against Chemours or DuPont on this matter?

I'm happy to talk by phone if that is best.

Best wishes,  
Cathy Clabby  
*NC Health News*

I'm just back from a summer trip. In case it is of use to you, here is our most recent story on the issues of

GenX and wider PFAS and PFOA  
contamination in North Carolina.

<https://www.northcarolinahealthnews.org/2017/08/17/genx-pollution-what-happened-when/>

---

Catherine Clabby | Journalist  
919.423.6163 @cathyclabby

On Jul 12, 2017, at  
3:21 PM, Jones,  
Enesta  
<[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
wrote:

Hi Catherine,

Please attribute our  
response below to an  
EPA spokesperson:

EPA has initiated an investigation into Chemours's compliance with a 2009 order issued under the Toxic Substances Control Act (TSCA) for the production of GenX. This investigation will allow EPA to determine whether Chemours is in compliance with requirements of the order to control releases to the environment at the Fayetteville, N.C., facility. EPA is also

reviewing the additional toxicity data submitted by the company, as required under the consent order, and updating the risk assessment using the additional toxicity data specific to GenX. At the request of the North Carolina Department of Environmental Quality (NCDEQ), scientists in EPA's Office of Research and Development are conducting an independent laboratory analysis of four rounds of water samples being collected by NCDEQ at 13 locations in the Cape Fear River in June and July.

Under the terms of the Consent Order, for operations in the United States, DuPont (Chemours) is required to recover and capture (destroy) or recycle the chemical from all the process wastewater effluent streams and air emissions (point source and fugitive) at an overall efficiency rate of 99% (i.e., 99% of the chemical can't be released into the environment). Furthermore, under the terms of the Consent Order, Dupont may only distribute the chemical to those customers, such as manufacturers and

processors, that can also achieve this percentage of efficiency or destruction.

**From:** Catherine Clabby

[mailto:[Ex. 6 Personal Privacy \(PP\)](#)]  
Ex. 6 Personal Privacy (PP)

**Sent:** Tuesday, July 11, 2017 9:27 PM

**To:** Lincoln, Larry  
<[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>; Marraccini, Davina  
<[Marraccini.Davina@epa.gov](mailto:Marraccini.Davina@epa.gov)>

**Subject:** Reporter's query about GenX issue in Cape Fear

Hi Larry and Davina.  
I'm a reporter at NC Health News. Jamie Krietzer at NC DEQ said you would be the right pios at EPA to contact regarding questions regarding the ongoing inquiry to the discovery of PFOA replacement chemicals in the Cape Fear River downstream of the Chemours' Fayetteville Works.

For a story I'm filing on Wednesday, here are my questions:

What is the scope of EPA's investigation into the discovery of the compounds in the Cape Fear?

If the EPA determines that Chemours plant did not comply with 2009 consent order with EPA that strictly limited release of PFOA replacement chemicals from its GenX operation in Fayetteville, what range of penalties could EPA impose on the company?

Chemours officials have told NC officials that the compounds did not come from its GenX operations. Instead they came from another site at Fayetteville Works, possibly starting back in the 1980s. Does that appear to be plausible?

Given the limits of release imposed by the consent order, did Chemours have any legal standing to release the PFOA replacements from anywhere at Fayetteville Works in the river?

How long as EPA been aware that that PFOA replacements were being released from the industrial property?

I'm happy to speak by phone if that is best for you.

Thank you in advance for your help.

Best wishes,  
Cathy Clabby

**Enesta Jones**  
U.S. EPA  
Office of Media  
Relations  
Office:  
202.564.7873  
Cell:

Ex. 6 Personal Privacy (PP)

**"The root of all joy  
is gratefulness."**



Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 1/22/2018 8:23:38 PM  
**To:** Pearson, Sam [spearson@bloombergenvironment.com]; Press [Press@epa.gov]  
**Subject:** RE: Comment on oral arguments scheduled for March 16 in RMP rule delay case

Sam, for attribution to "an EPA spokesperson," please: The agency doesn't comment on pending litigation.

Thanks, R.

---

**From:** Pearson, Sam [mailto:spearson@bloombergenvironment.com]  
**Sent:** Monday, January 22, 2018 12:54 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Comment on oral arguments scheduled for March 16 in RMP rule delay case

Hi,  
Does EPA have anything to add about the oral arguments being scheduled in the RMP rule delay case?  
This was the case in which advocacy groups are challenging Administrator Pruitt's 20-month delay of the chemical safety regulations put in place in January 2017.  
<https://www.bloomberglaw.com/product/blaw/document/X1Q6NSFT3282?bc=W1siRG9jdW1lbnQiLCIvcHJvZHVjdC9ibG F3L2RvY3VtZW50L1gxUTZOU0ZUMzi4Mj9kb2N1bWVudE5hbWU9MjUucGRmImZtdD1wZGYIXV0--17d90b71a5056fd3572ba18b06bf3ce685f15ff3>

Thanks,

.....

**Sam Pearson**  
Reporter

**Bloomberg Environment**

Direct 703.341.3881  
Cell Ex. 6 Personal Privacy (PP)  
[spearson@bloombergenvironment.com](mailto:spearson@bloombergenvironment.com)

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 1/19/2018 8:02:21 PM  
**To:** Amy Green [agreen@wmfe.org]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Public records request  
**Attachments:** 2012-2016 Releases and Production-Related Waste by Florida Counties.xlsx


Amy, attached and for attribution to the agency, please.

Let me know if you have follow-up questions.

Cheers, R.

---

**From:** Amy Green [mailto:agreen@wmfe.org]  
**Sent:** Friday, January 19, 2018 10:03 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Public records request

Give me a call when you're ready, 

Amy

Amy Green | Reporter | [agreen@wmfe.org](mailto:agreen@wmfe.org)  
90.7 WMFE | 11510 East Colonial Drive Orlando, FL 32817 | [wmfe.org](http://wmfe.org) | (407) 273-2300 ext. 219



*Dare to Listen is 90.7 WMFE's community campaign designed to encourage active listening and civil discourse in the central Florida community, with 90.7 WMFE acting as the conduit. [Learn more about Dare to Listen and take the dare!](#) #DareToListenWMFE*

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**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Friday, January 19, 2018 9:49 AM  
**To:** Amy Green <agreen@wmfe.org>  
**Subject:** RE: Public records request

Amy, I'm on a call. Can we talk afterwards – ca. 10-10:15 AM or so?

---

**From:** Amy Green [mailto:agreen@wmfe.org]  
**Sent:** Thursday, January 18, 2018 4:22 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Public records request

Excuse me, could I expand my public records request to include 2012 and NOT 2011. 2012 through 2016 would be five years, sorry about that.

Thanks again,

Amy

Amy Green | Reporter | [agreen@wmfe.org](mailto:agreen@wmfe.org)

90.7 WMFE | 11510 East Colonial Drive Orlando, FL 32817 | [wmfe.org](http://wmfe.org) | (407) 273-2300 ext. 219



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**#DareToListenWMFE**

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**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]

**Sent:** Monday, January 08, 2018 4:10 PM

**To:** Amy Green <[agreen@wmfe.org](mailto:agreen@wmfe.org)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: Public records request

Amy, we hope the attached tables help. Please attribute, if needed, to U.S. EPA.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP) (M)**

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**From:** Amy Green [<mailto:agreen@wmfe.org>]

**Sent:** Friday, December 29, 2017 4:23 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Public records request

To whom it may concern:

I am requesting the following:

EPA's annual Toxic Release Inventory beginning Jan. 1, 2013 to Jan. 1, 2018 limited to:  
\_ Florida,

- \_ Including a county-by-county list,
- \_ And a list of polluters for the following counties: Orange, Osceola, Seminole, Volusia, Lake and Brevard.

If there are any fees associated with my request please let me know in advance. Should you deny my request or any part of it please state the basis for the denial.

Thanks in advance,

Amy Green

Amy Green | Reporter | [agreen@wmfe.org](mailto:agreen@wmfe.org)

90.7 WMFE | 11510 East Colonial Drive Orlando, FL 32817 | [wmfe.org](http://wmfe.org) | (407) 273-2300 ext. 219



***Dare to Listen*** is 90.7 WMFE's community campaign designed to encourage active listening and civil discourse in the central Florida community, with 90.7 WMFE acting as the conduit. [Learn more about Dare to Listen and take the dare!](#)  
**#DareToListenWMFE**

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 1/19/2018 7:12:52 PM  
**To:** Jill.Loehr@farmprogress.com  
**CC:** Press [Press@epa.gov]  
**Subject:** Subject: RE: updated dicamba labels

Jill, for attribution to "an EPA spokesperson," please:

Dicamba-specific training for all certified applicators reinforces proper use. It is one measure to further minimize the potential for drift to damage neighboring crops from the use of dicamba formulations used to control weeds in genetically modified cotton and soybeans.

Regards, R.

**From:** "Loehr, Jill" <[Jill.Loehr@farmprogress.com](mailto:Jill.Loehr@farmprogress.com)>  
**Date:** January 18, 2018 at 3:23:33 PM EST  
**To:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** RE: updated dicamba labels

I apologize for the delayed response, I've been traveling to winter meetings.

Thank you for the quote and background, I greatly appreciate it.

I do have one follow-up question: What is the main goal of the required dicamba or auxin-specific training?


Thank you,

**Jill Loehr**

Associate Editor, Prairie Farmer

Farm Progress

[jill.loehr@farmprogress.com](mailto:jill.loehr@farmprogress.com)

 Ex. 6 Personal Privacy (PP)

[www.PrairieFarmer.com](http://www.PrairieFarmer.com)

**PrairieFarmer**

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**From:** Block, Molly  
**Sent:** Tuesday, January 16, 2018 8:13 AM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: For Review: Farm Progress (Jill Loehr) re updated dicamba labels (Deadline: 1/16)

Ok

---

**From:** Jones, Enesta  
**Sent:** Tuesday, January 16, 2018 7:31 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** For Review: Farm Progress (Jill Loehr) re updated dicamba labels (Deadline: 1/16)

**Background:** Farm Progress reporter is asking about updated dicamba labels. Response input from OCSPP. **Deadline was Thursday, but it's still worth responding to the reporter.** Jill Loehr, [Jill.Loehr@farmprogress.com](mailto:Jill.Loehr@farmprogress.com)

**Suggested Response:**

“The buffer requirements are intended to protect sensitive endangered species and their habitat around the dicamba application area.” – EPA spokesperson

**On background:** The registration of the new uses for dicamba on GE cotton and soybean only allows use in states where an endangered species effects determination was completed and demonstrates that a no effects determination is appropriate.

You can learn more about specific species that might exist in locations where dicamba can be applied [here](#). You can learn more about the new use of dicamba and its use requirements [here](#).

**From:** Loehr, Jill [<mailto:Jill.Loehr@farmprogress.com>]  
**Sent:** Monday, January 08, 2018 9:03 AM  
**To:** Montague, Kathryn V. <[Montague.Kathryn@epa.gov](mailto:Montague.Kathryn@epa.gov)>  
**Subject:** updated dicamba labels

Kathryn,

I’m working on an article about the updated labels for XtendiMax, Engenia and Fexapan. It is my understanding that the buffer requirements are set to protect certain species from harm. Is that correct? What are some of those species?

Please respond by end of day tomorrow. My deadline is Wednesday, January 10.

Thank you,

**Jill Loehr**

Associate Editor, Prairie Farmer

**Farm Progress**

[jill.loehr@farmprogress.com](mailto:jill.loehr@farmprogress.com)

**M** Ex. 6 Personal Privacy (PP)

[www.PrairieFarmer.com](http://www.PrairieFarmer.com)

Message

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**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 12/8/2017 1:59:07 PM  
**To:** Press [Press@epa.gov]  
**Subject:** For Review: North Carolina Health News (Catherine Clabby) re: PFAS (Deadline: 12/8)

**Background:** North Carolina Health News reporter is asking about the PFAS Cross-Agency effort announced on Monday. Response input from OW. Catherine Clabby, [catherine.clabby@gmail.com](mailto:catherine.clabby@gmail.com)

**Suggested Response:** **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

**From:** Catherine Clabby <**Ex. 6 Personal Privacy (PP)**>  
**Date:** December 8, 2017 at 8:45:51 AM EST  
**To:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Request for information regarding new PFAS programming

Hello Enesta.

Cathy Clabby here, from *North Carolina Health News*. You and I have corresponded before regarding concerns about PFAS pollution originating from the Chemours chemical plant complex in our state.

I'm writing about two things.

I'm requesting the written description of the EPA "cross-agency" initiative described [here](#) that is relevant to this contamination.

Also, what steps can I take to make sure that I am on any press mailings from EPA activity regarding PFAS, in North Carolina and elsewhere in the country.

Best wishes,  
Cathy



Catherine  
Clabby

Catherine Clabby (Sr. Environmental Reporter) is a science journalist and editor who has worked in newspaper, magazine, and digital book publishing. She is editor and co-author of *An Evolutionary War: Humanity Versus Malaria*, a digital, multimedia book under development. Catherine was senior editor of *EO Wilson's Life on Earth*, the digital-only biology textbook series produced in 2014. Much of her written and multimedia content for LOE focused on ecology. An alum fellow of the year-long MIT Knight Science Journalism Program, she is a former senior editor at *American Scientist* magazine in Research Triangle Park and a former science reporter at the *News & Observer* in Raleigh, N.C.

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Catherine Clabby | Journalist  
919.423.6163 @cathyclabby

On Oct 18, 2017, at 2:53 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, the responses to your follow-up questions are below. Please attribute them to an agency spokesperson.

**1. You heard Dr. Strynar say that he took a more difficult path to characterize the unknown PFAS compounds in the Cape Fear River. That's because if he had obtained information that DuPont had submitted to EPA regarding what it was producing, he could have faced limitations on what he could have made public.**

**Is there any effort afoot within the agency to change that practice so that EPA scientists can obtain information filed with the agency when studying emerging contaminants without facing limitations on public disclosure about what chemicals are being released by manufacturing facilities? PFAS were of enough concern that EPA required sampling for them as part of the 3rd unregulated contaminant monitoring rule. (See list of compounds in screen grab below.)**

Our process for protection of and access to materials claimed as confidential business information (CBI) is consistent with the framework laid out under the Toxic Substances Control Act. Provisions are in place for federal employees to access CBI if needed for the required performance of their jobs.

**2. Will EPA continue to support Dr. Strynar's efforts to look for and identify unregulated chemicals released by industrial sites during the Trump Administration?**

Yes. One of Administrator Pruitt's priorities for EPA is to provide support to the states. The work EPA is currently doing on GenX in NC is at the request of NC DEQ.



Perfluorinated Compounds: EPA Method 537		
<b>perfluorooctanesulfonic acid (PFOS)</b> <b>1763-23-1</b>	0.04	Surfactant or emulsifier; used in fire-fighting foam, circuit board etching acids, alkaline cleaners, floor polish, and as a pesticide active ingredient for insect bait traps; U.S. manufacture of PFOS phased out in 2002; however, PFOS still generated incidentally
<b>perfluorooctanoic acid (PFOA)</b> <b>335-67-1</b>	0.02	Perfluorinated aliphatic carboxylic acid; used for its emulsifier and surfactant properties in or as fluoropolymers (such as Teflon), fire-fighting foams, cleaners, cosmetics, greases and lubricants, paints, polishes, adhesives and photographic films
<b>perfluorononanoic acid (PFNA)</b> <b>375-95-1</b>	0.02	Manmade chemical; used in products to make them stain, grease, heat and water resistant
<b>perfluorohexanesulfonic acid (PFHxS)</b> <b>355-46-4</b>	0.03	Manmade chemical; used in products to make them stain, grease, heat and water resistant
<b>perfluoroheptanoic acid (PFHpA)</b> <b>375-85-9</b>	0.01	Manmade chemical; used in products to make them stain, grease, heat and water resistant
<b>perfluorobutanesulfonic acid (PFBS)</b> <b>375-73-5</b>	0.09	Manmade chemical; used in products to make them stain, grease, heat and water resistant

Page 3 of 8

On Oct 17, 2017, at 12:23 PM, Catherine Clabby <Ex. 6 Personal Privacy (PP)> wrote:

Thank you Enesta. I'm hoping I'm on the press release list if and when the EPA does make an announcement on this matter or anything else related to PFAS contamination in North Carolina and our region.

Thank you again for your swift help.

Cathy

Catherine Clabby | Journalist  
919.423.6163 @cathyclabby

On Oct 17, 2017, at 12:20 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Catherine, attributable to an agency spokesperson:

No new information at this time.

On Oct 17, 2017, at 9:40 AM, Catherine Clabby <Ex. 6 Personal Privacy (PP)> wrote:

Hi Ernesta. Is there any news yet regarding the Chemours investigation we've corresponded about before? Is it finished? Likely to be finished soon?

If done, what are the results?

My deadline is Wednesday this week.

Best wishes,  
Cathy Clabby

On Sep 7, 2017, at 7:18 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, for attribution to an EPA spokesperson:

The investigation is still ongoing. It's EPA policy not to discuss ongoing investigations.

---

**From:** Catherine Clabby [mailto:[Cathy.Clabby@epa.gov](mailto:Cathy.Clabby@epa.gov)] **Ex. 6 Personal Privacy (PP)**  
**Sent:** Thursday, September 07, 2017 3:17 PM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** Re: Checking in for update re: Chemours PFAS compounds released in Cape Fear River

Thank you!

Tomorrow is my deadline. Sunday really but I hope you do not work in weekends!

Cathy

On Sep 7, 2017, at 3:14 PM, Jones, Enesta  
<[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, I'll look into this. What's your deadline?

On Sep 7, 2017, at 3:13 PM, Catherine Clabby  
<[Cathy.Clabby@epa.gov](mailto:Cathy.Clabby@epa.gov)> **Ex. 6 Personal Privacy (PP)** wrote:

Hello Enesta.

You helped me earlier this summer regarding getting information about EPA's investigation regarding Chemours Co's compliance with a 2009 order EPA issued under the TSCA regarding the production of GenX. (Please see email thread below.) Thank you again for that!

I'm checking in to learn about the status of that investigation you described.

At what stage is the probe now?

Has EPA found evidence that Chemours did not comply with the order.

Does EPA expect to take any regulatory action against Chemours or DuPont on this matter?

I'm happy to talk by phone if that is best.

Best wishes,  
Cathy Clabby  
NC Health News

I'm just back from a summer trip. In case it is of use to you, here is our most recent story on the issues of GenX and wider PFAS and PFOA contamination in North Carolina.

<https://www.northcarolinahealthnews.org/2017/08/17/genx-pollution-what-happened-when/>

---

Catherine Clabby | Journalist  
919.423.6163 @cathyclabby

On Jul 12, 2017, at 3:21 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine,

Please attribute our response below to an EPA spokesperson:

EPA has initiated an investigation into Chemours's compliance with a 2009 order issued under the Toxic Substances Control Act (TSCA) for the production of GenX. This investigation will allow EPA to determine whether Chemours is in compliance with requirements of the order to control releases to the environment at the Fayetteville, N.C., facility. EPA is also reviewing the additional toxicity data submitted

by the company, as required under the consent order, and updating the risk assessment using the additional toxicity data specific to GenX. At the request of the North Carolina Department of Environmental Quality (NCDEQ), scientists in EPA's Office of Research and Development are conducting an independent laboratory analysis of four rounds of water samples being collected by NCDEQ at 13 locations in the Cape Fear River in June and July.

Under the terms of the Consent Order, for operations in the United States, DuPont (Chemours) is required to recover and capture (destroy) or recycle the chemical from all the process wastewater effluent streams and air emissions (point source and fugitive) at an overall efficiency rate of 99% (i.e., 99% of the chemical can't be released into the environment). Further, under the terms of the Consent Order, Dupont may only distribute the chemical to those customers, such as manufacturers and processors, that can also achieve this percentage of efficiency or destruction.

**From:** Catherine Clabby

[mailto:[Ex. 6 Personal Privacy \(PP\)](#)]

**Sent:** Tuesday, July 11, 2017 9:27 PM

**To:** Lincoln, Larry

<[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>;

Marraccini, Davina

<[Marraccini.Davina@epa.gov](mailto:Marraccini.Davina@epa.gov)>

**Subject:** Reporter's query about GenX issue in Cape Fear

Hi Larry and Davina. I'm a reporter at [NC Health News](#). Jamie Krietzer at NC DEQ said you would be the right pios at EPA to contact regarding questions regarding the

ongoing inquiry to the discovery of PFOA replacement chemicals in the Cape Fear River downstream of the Chemours' Fayetteville Works.

For a story I'm filing on Wednesday, here are my questions:

What is the scope of EPA's investigation into the discovery of the compounds in the Cape Fear?

If the EPA determines that Chemours plant did not comply with 2009 consent order with EPA that strictly limited release of PFOA replacement chemicals from its GenX operation in Fayetteville, what range of penalties could EPA impose on the company?

Chemours officials have told NC officials that the compounds did not come from its GenX operations. Instead they came from another site at Fayetteville Works, possibly starting back in the 1980s. Does that appear to be plausible?

Given the limits of release imposed by the consent order, did Chemours have any legal standing to release the PFOA replacements from anywhere at Fayetteville Works in the river?

How long has EPA been aware that that PFOA replacements were being released from the industrial property?

I'm happy to speak by phone if that is best for you.

Thank you in advance for your help.

Best wishes,  
Cathy Clabby

**Enesta Jones**  
U.S. EPA  
Office of Media Relations

Office: 202.564.7873

Cell: Ex. 6 Personal Privacy (PP)

**"The root of all joy is  
gratefulness."**

Message

---

**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 12/7/2017 3:18:19 PM  
**To:** Jason.Stoogenke@wsoc-tv.com  
**Subject:** Re: Press Inquiry

Jason—

For attribution to “an EPA spokesperson:”

Again, EPA does not approve products. If anything, the components in the final product may have been individually registered for use. This, however, does not constitute EPA’s approval of their final product, its performance or that US EPA has tested their product.

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

---

**From:** Stoogenke, Jason (CMG-Charlotte) [mailto:Jason.Stoogenke@wsoc-tv.com]  
**Sent:** Friday, December 01, 2017 5:10 PM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** RE: FOR REVIEW: WSOC TV - Charlotte (Jason Stoogenke). Follow Up: EPA Endorsement of Aquafeel Solutions? (11/22)

Hi Tricia,  
One last question about this if you can let me know by Monday—  
Aquafeel sells the filtration system, but Puronics makes it. Please let me know if Puronics has permission to use the EPA name or logo.  
Thank you!  
Jason

---

**From:** Lynn, Tricia [mailto:lynn.tricia@epa.gov]  
**Sent:** Monday, November 27, 2017 2:13 PM  
**To:** Stoogenke, Jason (CMG-Charlotte) <Jason.Stoogenke@wsoc-tv.com>  
**Subject:** FW: FOR REVIEW: WSOC TV - Charlotte (Jason Stoogenke). Follow Up: EPA Endorsement of Aquafeel Solutions? (11/22)

Jason—

Regarding your follow-up:

EPA does not comment on potential administrative actions or litigation.

Best,

Tricia

---

**From:** Stoogenke, Jason (CMG-Charlotte) [<mailto:Jason.Stoogenke@wsoc-tv.com>]  
**Sent:** Monday, November 27, 2017 12:53 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** RE: Subject: Re: Press Inquiry

Thank you,  
J

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Monday, November 27, 2017 12:42 PM  
**To:** Stoogenke, Jason (CMG-Charlotte) <[Jason.Stoogenke@wsoc-tv.com](mailto:Jason.Stoogenke@wsoc-tv.com)>  
**Cc:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** RE: Subject: Re: Press Inquiry

Thanks, Jason. Tricia (cc'ed here) is back in the office and will take it from here.

Cheers, R.

---

**From:** Stoogenke, Jason (CMG-Charlotte) [<mailto:Jason.Stoogenke@wsoc-tv.com>]  
**Sent:** Monday, November 27, 2017 12:10 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Subject: Re: Press Inquiry

I forgot to ask one thing... In light of all of this, will you be taking any action against the company? Thank you, Jason

Jason Stoogenke  
Action 9 Consumer Reporter  
WSOC TV Charlotte

\*Please excuse any grammatical errors as I am often using hands-free phone dictation.

On Nov 27, 2017, at 10:42 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Jason, on behalf of my colleague Tricia Lynn, and or attribution to "an EPA spokesperson," please:

The image on the Aquafeel Solutions website does not represent the official EPA seal or logo. As a general policy, EPA does not endorse individual companies. Furthermore, EPA has not given Aquafeel Solutions permission to reference EPA in this manner on its web site.

Regards, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)



---

**From:** Stoogenke, Jason (CMG-Charlotte) [mailto:Jason.Stoogenke@wsoc-tv.com]  
**Sent:** Friday, November 17, 2017 10:54 AM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** Re: Press Inquiry

Hi Tricia,  
I appreciate it! If we don't talk today, have a good weekend,  
Jason

Jason Stoogenke  
Action 9 Consumer Reporter  
WSOC TV Charlotte

\*Please excuse any grammatical errors as I am often using hands-free phone dictation.

On Nov 17, 2017, at 10:38 AM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Thanks Jason. I think we should be able to accommodate that deadline. I'll be in touch as soon as we have something.

Best,

Tricia

---

**From:** Stoogenke, Jason (CMG-Charlotte) [mailto:Jason.Stoogenke@wsoc-tv.com]  
**Sent:** Thursday, November 16, 2017 5:27 PM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** RE: Press Inquiry

Hi Tricia,  
Nice to meet you. I am flexible. Tuesday would be great. If that's tough for you, let me know. My goal was to run a report on the company Wednesday (before the holiday) and I'd like to know if it's using the EPA logo/comments appropriately.  
Thanks,  
J

---

**From:** Lynn, Tricia [mailto:lynn.tricia@epa.gov]  
**Sent:** Thursday, November 16, 2017 5:17 PM  
**To:** Stoogenke, Jason (CMG-Charlotte) <Jason.Stoogenke@wsoc-tv.com>  
**Subject:** FW: Press Inquiry

Hi Jason—

Your EPA inquiry has made it's way to me, and I'm happy to check into it. Can you please tell me your hard deadline?

Thanks so much,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

---

**From:** Stoogenke, Jason (CMG-Charlotte) [<mailto:Jason.Stoogenke@wsoc-tv.com>]  
**Sent:** Thursday, November 16, 2017 3:53 PM  
**To:** Harris-Young, Dawn <[Harris-Young.Dawn@epa.gov](mailto:Harris-Young.Dawn@epa.gov)>  
**Subject:** Press Inquiry

Hello,

Please check out this website: <http://www.aquafeelsolutions.com/Aboutus.html> and let me know if it is ok that the company is using EPA's logo.

Thank you,  
Jason

<image001.png> <image002.jpg> <image003.png>

Jason Stoogenke | Investigative Reporter  
Cox Media Group | 1901 N. Tryon St. | Charlotte, NC 28206  
P: (704) 335-4756 | F: (704) 335-4736 | Email: [Jason.Stoogenke@WSOC-TV.com](mailto:Jason.Stoogenke@WSOC-TV.com)

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/18/2019 6:55:23 PM  
**To:** Michael Warren [MWarren@njadvancemedia.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: NJ.com questions on methylene chloride rule

Good afternoon Michael,

For attribution to "an EPA Spokesperson," please:

Why just ban the chemical for paint removers?

- EPA found these risks to be unreasonable for consumers. Other uses of methylene chloride are being assessed as part of the overall ongoing risk evaluation of methylene chloride being conducted pursuant to TSCA section 6(b), expected to be completed in December 2019.

According to the EPA, up to 260 million pounds of the chemical are used in the US annually. About 10 percent of that is for paint removers. What else is the chemical used for?

- Methylene chloride is used in a variety of industries, such as paint and coating removal, plastic processing, metal cleaning and degreasing, adhesive manufacture, and as a refrigerant and heat transfer fluid.

Does this new rule apply just for consumer use of paint removers? Is commercial use also prohibited?

- Yes, this rule applies just to consumer uses of paint removers. To ensure that consumers will no longer have access to methylene chloride for this use, EPA has banned the sale of methylene chloride in paint removers from all retail establishments. This means that no one, whether DIYers or businesses, can purchase methylene chloride for paint removal from any in-store or online retailer.
- EPA has published a separate advance notice of proposed rulemaking (ANPRM) to solicit public input on elements for a training, certification, and limited access program for methylene chloride for commercial paint and coating removal.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Michael Warren <MWarren@njadvancemedia.com>  
**Sent:** Monday, March 18, 2019 11:41 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: NJ.com questions on methylene chloride rule

Hi Robert,

Thanks! My deadline is this afternoon, around 3pm at the latest.

Best,  
Michael W.

--

Michael Sol Warren  
Reporter, NJ Advance Media  
[mwarren@njadvancemedia.com](mailto:mwarren@njadvancemedia.com)  
Cell: Ex. 6 Personal Privacy (PP)  
Office: 732-902-4538  
485 Route 1 S, Bldg E, Suite 300  
Iselin, NJ, 08830  
Twitter: @MSolDub

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**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Monday, March 18, 2019 at 11:39 AM  
**To:** Michael Warren <[MWarren@njadvancemedia.com](mailto:MWarren@njadvancemedia.com)>, Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Cc:** "Mears, Mary" <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>, David Kluesner <[kluesner.dave@epa.gov](mailto:kluesner.dave@epa.gov)>  
**Subject:** RE: NJ.com questions on methylene chloride rule

Good morning Michael,

Happy to look into this for you. Are you on deadline and when are you hoping to publish your piece?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Michael Warren <[MWarren@njadvancemedia.com](mailto:MWarren@njadvancemedia.com)>  
**Sent:** Monday, March 18, 2019 11:36 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** NJ.com questions on methylene chloride rule

Hi there,

Michael Warren with NJ.com and The Star-Ledger here. Is there anyone available to answer a few follow up questions on Friday's final rule announcement for methylene chloride?

Specifically, my questions are:

Why just ban the chemical for paint removers?

According to the EPA, up to 260 million pounds of the chemical are used in the US annually. About 10 percent of that is for paint removers. What else is the chemical used for?

Does this new rule apply just for consumer use of paint removers? Is commercial use also prohibited?

Please let me know if any of these questions need to be clarified. I can be reached at this email or on my cell phone, [REDACTED]

[REDACTED]  
Ex. 6 Personal Privacy (PP)

Best,  
Michael W.

--

Michael Sol Warren  
Reporter, NJ Advance Media  
[mwarren@njadvancemedia.com](mailto:mwarren@njadvancemedia.com)  
Cell: [REDACTED]  
Office: 732-902-4538  
485 Route 1 S, Bldg E, Suite 300  
Iselin, NJ, 08830  
Twitter: @MSolDub

**From:** Hopkins, Jamie [jhopkins@publicintegrity.org]  
**Sent:** 3/18/2019 2:53:05 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Methylene chloride story

Thanks for sending.

Get [Outlook for iOS](#)

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**From:** Daguillard, Robert <daguillard.robert@epa.gov>  
**Sent:** Monday, March 18, 2019 6:35 AM  
**To:** Hopkins, Jamie  
**Cc:** Press  
**Subject:** FW: Methylene chloride story

Good morning Jamie,

With apologies for the late response, and for attribution to “an EPA Spokesperson,” please:

1. ***What’s the likely timeline for a final decision by EPA on how to handle worker risks involving methylene chloride paint strippers? For instance, when could there be an enacted rule in place involving training, certification and limited use? Or, alternative, an enacted rule dictating other restrictions? Would this be several years down the road?***
  - The Agency is requesting public input within 60 days on elements of the training, certification and limited access program for methylene chloride in commercial paint and coating removal.
  - Following the public comment period, the Agency will determine the next steps and timing for addressing methylene chloride in commercial paint and coating removal.
  - If the Agency pursues such a training, certification and limited access program, it would need to propose and then finalize a rule. The Agency could also determine that certain commercial uses would not be amenable to a training, certification and limited access program and could move to finalize the proposed prohibition for those commercial uses.
2. ***My newsroom’s investigation into methylene chloride deaths since the 1980s found that the vast majority involved workers. Is the EPA planning any immediate steps to prevent more worker deaths while the rulemaking process proceeds?***
  - EPA is conducting outreach to the regulated community to make them aware of and solicit comment on the ANPRM for a training, certification and limited access program for methylene chloride in commercial paint and coating removal.
  - Today’s rule’s downstream notification and recordkeeping requirements will mean that all purchasers of methylene chloride must be advised about the prohibition on use for consumer paint and coating removal, which will also make commercial purchasers aware of the EPA concerns about the chemical.
  - In addition, the Agency is also developing a small business compliance guide that will explain the rule’s requirements and be placed on the EPA website.
  - **All individuals, whether they are workers or consumer DIYers, who acquired methylene chloride paint and coating removal products from retailers are no longer able to do so with today’s regulation.**

3. *Can the EPA share the text of the final rule?*

- <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/prepublication-versions-federal-register-notices-banning>

4. *Is it correct that the prohibition on retail sales will go into effect eight months (240 days) from when the rule is published in the Federal Register, which the EPA expects to happen next week?*

- Yes.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Hopkins, Jamie <jhopkins@publicintegrity.org>  
**Sent:** Friday, March 15, 2019 2:49 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>; Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Methylene chloride story

Yes, that's correct.

---

**From:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Sent:** Friday, March 15, 2019 2:48 PM  
**To:** Hopkins, Jamie <jhopkins@publicintegrity.org>; Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Methylene chloride story

But you could update, right?

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Hopkins, Jamie <jhopkins@publicintegrity.org>  
**Sent:** Friday, March 15, 2019 2:47 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>; Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Methylene chloride story

Thank you. The story may go online as soon as 4 p.m.

---

**From:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Sent:** Friday, March 15, 2019 2:46 PM  
**To:** Hopkins, Jamie <jhopkins@publicintegrity.org>; Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Methylene chloride story

OK. We'll try to get you something by COB.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Hopkins, Jamie <jhopkins@publicintegrity.org>  
**Sent:** Friday, March 15, 2019 2:45 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>; Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Methylene chloride story

It's a daily story that will run later this afternoon. Thank you for checking!

---

**From:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Sent:** Friday, March 15, 2019 2:44 PM  
**To:** Hopkins, Jamie <jhopkins@publicintegrity.org>; Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Methylene chloride story

Good afternoon Jamie,

Checking. Are you looking to write a story today or tomorrow, or is this longer-term?

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Hopkins, Jamie <jhopkins@publicintegrity.org>  
**Sent:** Friday, March 15, 2019 2:36 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Methylene chloride story

Hi, the queue for questions was too long for me to get mine in – I hope you can answer them by email:



--What's the likely timeline for a final decision by EPA on how to handle worker risks involving methylene chloride paint strippers? For instance, when could there be an enacted rule in place involving training, certification and limited use? Or, alternative, an enacted rule dictating other restrictions? Would this be several years down the road?

--My newsroom's investigation into methylene chloride deaths since the 1980s found that the vast majority involved workers. Is the EPA planning any immediate steps to prevent more worker deaths while the rulemaking process proceeds?

--Can the EPA share the text of the final rule?

--Is it correct that the prohibition on retail sales will go into effect eight months (240 days) from when the rule is published in the Federal Register, which the EPA expects to happen next week?

Thank you.

Best,

Jamie

---

**From:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Sent:** Friday, March 15, 2019 1:03 PM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Methylene chloride story

Call-in number: Ex. 6 Personal Privacy (PP)  
Passcode: Ex. 6 Personal Privacy (PP)

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**From:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Sent:** Friday, March 15, 2019 12:46 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Methylene chloride story

I've since learned that the press conference is call-in. Could you send me call-in instructions?

Best,

Jamie

---

**From:** Hopkins, Jamie  
**Sent:** Friday, March 15, 2019 12:42 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Methylene chloride story

Hi, I'm working on a story today about EPA's methylene chloride paint stripper rule. I understand there's a press conference at 2 p.m. Do you plan to stream it on the EPA website?

Will there be a press release issued at that time?

Will the text of the rule be available on the EPA's website then as well?

Thanks!

Best,

Jamie

-----  
Jamie Smith Hopkins  
Deputy environment editor and reporter  
The Center for Public Integrity  
910 17th Street NW, 7th floor  
Washington, DC 20006  
202-481-1231  
[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/18/2019 2:52:17 PM  
**To:** Brett Walton [brett@circleofblue.org]; Press [Press@epa.gov]  
**Subject:** RE: Water system consolidations

Good morning Brett,

For attribution to “an EPA Spokesperson,” please:

**1.Has the EPA or any state with primacy used this authority yet?**

As required by AWIA, EPA is currently working on the regulations to implement this authority. Some states, however, may currently have state authorities on consolidation requirements.

**2. My reading of the law is that EPA has the authority to order an assessment but not to order systems to consolidate. Is that correct?**

As required by AWIA, EPA is currently working on regulations to implement the provisions of AWIA authorizing the primacy agency (States or EPA if the state does not have primary enforcement responsibility) to require the owner or operator of a public water system to assess options for consolidation, or transfer of ownership of the system, consistent with the “Consolidation Incentive” provisions of the Safe Drinking Water Act. AWIA does not expressly authorize the primary agency to order systems to undertake any of those options for consolidation, but AWIA also does not limit the remedies available to EPA through the use of its various authorities under SDWA to address violations or public endangerment by public water systems.

**3. And a data question: do you have the number of community water systems regulated under the SDWA for each year since 2000? Beginning of year/1st quarter reporting period numbers are fine.**

For data visit: <https://obipublic.epa.gov/analytics/saw.dll?PortalPages>

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Brett Walton <brett@circleofblue.org>  
**Sent:** Wednesday, March 13, 2019 4:33 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Water system consolidations

I'm working on a story about drinking water system consolidation. Section 2010 of America's Water Infrastructure Act, signed into law last October, gave the EPA and states with primacy the authority to order an assessment of consolidation options for drinking water systems that fail to meet federal standards. Has the EPA or any state with primacy used this authority yet?

Also, my reading of the law is that EPA has the authority to order an assessment but not to order systems to consolidate. Is that correct?

And a data question: do you have the number of community water systems regulated under the SDWA for each year since 2000? Beginning of year/1st quarter reporting period numbers are fine.

Deadline is Monday.

thanks,

--

Brett Walton  
Circle of Blue  
844.324.7253 x707  
@waltonwater

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/15/2019 5:20:50 PM  
**To:** Rowan, Anne [rowan.anne@epa.gov]; Arcaute, Francisco [Arcaute.Francisco@epa.gov]  
**CC:** Press [Press@epa.gov]; Kelley, Jeff [kelley.jeff@epa.gov]; Bassler, Rachel [Bassler.Rachel@epa.gov]; Corado, Ana [Corado.Ana@epa.gov]  
**Subject:** RE: HQs response to Detroit Free Press: toxins in consumers paint strippers (desk statement / TSCA)

Thanks, Anne.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Rowan, Anne  
**Sent:** Friday, March 15, 2019 11:31 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Arcaute, Francisco <Arcaute.Francisco@epa.gov>  
**Cc:** Press <Press@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>; Bassler, Rachel <Bassler.Rachel@epa.gov>; Corado, Ana <Corado.Ana@epa.gov>  
**Subject:** HQs response to Detroit Free Press: toxins in consumers paint strippers (desk statement / TSCA)

Hi Robert, thanks for copying us on the response. I'm looking in Francisco who is R5's press contact for TSCA issues. Thanks.

---

**From:** Siacon, Aleanna <ASiacon@freepress.com>  
**Sent:** Friday, March 15, 2019 5:48 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>; Bassler, Rachel <Bassler.Rachel@epa.gov>; Corado, Ana <Corado.Ana@epa.gov>  
**Subject:** Re: Detroit Free Press: toxins in consumers paint strippers

Hi Robert,

Hope all is well! We were just working on wrapping up our explainer piece on these chemicals, when I got an overnight note from an environmental health organization saying that they're expecting the EPA to finalize rules for methylene chloride today.

I wanted to check in to see if that was accurate, and if the rule will include both workers and consumers? Or, just consumers? Will an official EPA announcement or statement be coming out when the methylene chloride rule is finalized?

Also, just to make sure I'm clear and up to date, while a methylene chloride rule may be finalized today, NMP is still undergoing a risk evaluation under the amended TSCA prior the EPA going forward on proposed NMP regulation correct?

Best,

**Aleanna Siacon**

**Detroit Free Press**

Breaking & Developing News Reporter -- FreepNow

Desk: (313) 222-1850 / Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @AleannaSiacon

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Monday, March 4, 2019 3:58 PM  
**To:** Siacon, Aleanna  
**Cc:** Press; Kelley, Jeff; Rowan, Anne; Bassler, Rachel; Corado, Ana  
**Subject:** RE: Detroit Free Press: toxins in consumers paint strippers

Aleanna, for attribution to "an EPA Spokesperson," please:

Under certain circumstances, methylene chloride not only can pose danger, but has also caused worker deaths. EPA submitted a final rule for methylene chloride paint and coating removal to OMB for interagency review on December 21, 2018. Questions regarding the scope, implementation, and timing of the final rule, and associated EPA actions, will depend on the outcome of the interagency review process.

The Agency has stated that we are moving forward on a risk evaluation required by the amended TSCA, and that that evaluation will include the uses that were in the proposed rule. Conducting these evaluations does not preclude EPA from finalizing the proposed NMP regulation if through its evaluation EPA determines that any of the conditions of use present unreasonable risk. EPA has concluded that the Agency's assessment of the potential risks will be more robust if the potential risks from these conditions of use are evaluated by applying standards and guidance under amended TSCA. In particular, this includes ensuring the evaluation is consistent with the scientific standards in Section 26 of TSCA (including systematic review approaches).

Cheers, R.

Robert Daguiillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Siacon, Aleanna <[ASiacon@freepress.com](mailto:ASiacon@freepress.com)>

**Sent:** Monday, March 04, 2019 9:05 AM

**To:** Daguiillard, Robert <[Daguiillard.Robert@epa.gov](mailto:Daguiillard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Kelley, Jeff <[kelley.jeff@epa.gov](mailto:kelley.jeff@epa.gov)>; Rowan, Anne <[rowan.anne@epa.gov](mailto:rowan.anne@epa.gov)>; Bassler, Rachel <[Bassler.Rachel@epa.gov](mailto:Bassler.Rachel@epa.gov)>; Corado, Ana <[Corado.Ana@epa.gov](mailto:Corado.Ana@epa.gov)>

**Subject:** Re: Detroit Free Press: toxins in consumers paint strippers

Hi Robert,

I hope all is well. I just wanted to check in to see if more information or a statement was available from the EPA regarding whether or not actions to regulate the use of methylene chloride were upcoming?

My deadline is this afternoon.

Best,

**Aleanna Siacon**

***Detroit Free Press***

Breaking & Developing News Reporter -- FreepNow

Desk: (313) 222-1850 / Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @AleannaSiacon

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Friday, March 1, 2019 7:08:42 AM  
**To:** Siacon, Aleanna  
**Cc:** Press; Kelley, Jeff; Rowan, Anne; Bassler, Rachel; Corado, Ana  
**Subject:** Re: Detroit Free Press: toxins in consumers paint strippers

Got it. Thanks Aleanna.

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Mar 1, 2019, at 7:04 AM, Siacon, Aleanna <[ASiacon@freepress.com](mailto:ASiacon@freepress.com)> wrote:

Hi Robert,

Thanks so much for the response, I've let my editor know that a statement may not come until Monday.

In the meantime, I just wanted to clarify what we were looking for:

- An update on whether or not federal regulation prohibiting the use of methylene chloride and nmp in products is coming, I understand the EPA announced upcoming action on methylene chloride in 2018, but action has not been finalized yet.
  - What has caused the wait on federal restrictions on methylene chloride? Is there a timeline in place for when more progress is expected, and does the EPA plan to restrict the use of methylene chloride for *both* workers and consumers.?



- A status update on regulations for NMP. I understand that in 2017 the EPA was also looking at possibly prohibiting its use as well. Is that/will that be underway?

Best,

**Aleanna Siacon**

**Detroit Free Press**

Breaking & Developing News Reporter -- FreepNow

Desk: (313) 222-1850 / Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @AleannaSiacon

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Thursday, February 28, 2019 7:46 PM  
**To:** Siacon, Aleanna  
**Cc:** Press; Kelley, Jeff; Rowan, Anne; Bassler, Rachel  
**Subject:** Re: Detroit Free Press: toxins in consumers paint strippers

Good evening Aleanna,

Looks as though we may not get back to you by the end of tomorrow. Would a Monday response work for you, if it comes to that?

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Feb 25, 2019, at 10:07 AM, Siacon, Aleanna <[ASiacon@freepress.com](mailto:ASiacon@freepress.com)> wrote:

Hi Robert,

Thanks so much for the response -- I'm looking to get some more info or a statement sometime this week, preferably before Friday.

Best,

**Aleanna Siacon**

**Detroit Free Press**

Breaking & Developing News Reporter -- FreepNow

Desk: (313) 222-1850 / Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @AleannaSiacon

---

**From:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Sent:** Monday, February 25, 2019 10:05:21 AM  
**To:** Siacon, Aleanna; Press  
**Cc:** Kelley, Jeff; Rowan, Anne; Bassler, Rachel  
**Subject:** RE: Detroit Free Press: toxins in consumers paint strippers

Good morning Aleanna,

Thanks for reaching out. Are you on deadline?

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Siacon, Aleanna <[ASiacon@freepress.com](mailto:ASiacon@freepress.com)>  
**Sent:** Monday, February 25, 2019 10:03 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Detroit Free Press: toxins in consumers paint strippers

Greetings,

My name is Aleanna Siacon and I'm a reporter at the Detroit Free Press. We're following reports that Midwest chain Menards has announced that it will no longer be purchasing paint stripping products that contain methylene chloride and NMP, and speaking to activists as well as medical experts about the dangers of these two chemicals in consumers products.

I wanted to see if a rep from the EPA could maybe speak with me about any efforts that have been made to have the EPA take regulatory/legal action against the use of these two chemicals in consumers products?

**AleannSiacon**

***Detroit Free Press***

Breaking & Developing News Reporter -- FreepNow

Desk: (313) 222-1850 / Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @AleannaSiacon

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/18/2017 10:04:48 PM  
**To:** Maria Hegstad [mhegstad@iwpnews.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: follow up query on uncertainty analysis

Maria, for attribution to “an EPA spokesperson,” please:

**Will EPA Present Risk Ranges?**

Past OPPT risk assessments (e.g., TCE, NMP and Methylene Chloride) provide not only hazard ID and dose-response analysis for multiple hazard endpoints, but also combine these with multiple/many different exposure scenarios; hence, they include a range of risk estimates. In addition, consistent with EPA Information Quality Guidelines, the previous assessments have also presented a range of risk estimates for each endpoint carried forward to the risk characterization section. Consistent with the Risk Evaluation Framework rule, EPA will continue to provide ranges (see risk evaluation framework rule at page 33743).

**Q. Is OPPT endorsing IRIS' work? Or are you expecting to continue to receive criticism for adopting IRIS' methodologies and approaches?**

A: OPPT has been working closely with ORD's IRIS staff to explore and test a variety of systematic review approaches, especially in the area of IT tools that aid in efficiency and automation. OPPT leveraged the literature search strategies from IRIS assessments in the TSCA literature searches, when pertinent to our assessment. OPPT is not necessarily adopting IRIS program approaches, in part or in total; rather we are evaluating and learning from their experiences and past practices as we develop procedures that address specific TSCA needs and requirements.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Dec 13, 2017, at 11:46 AM, Maria Hegstad <mhegstad@iwpnews.com> wrote:

Hi Robert,  
The first question, regarding the NAS advice on risk ranges, is for a story I'm working on for our next issue of Risk Policy Report. That goes to press Monday -- the earlier I get it, the more likely I can get it in the issue. By 3 pm is usually safe.

The followup question, regarding OPPT's use of IRIS' methods is a longer-term project. If I could get that by Jan. 1, that would be most helpful.  
Many thanks, Maria

-----  
Maria Hegstad  
Managing Editor, Risk Policy Report  
703-416-8541

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**To:** Maria Hegstad <[mhegstad@iwpnews.com](mailto:mhegstad@iwpnews.com)>  
**Sent:** 12/13/2017 11:13 AM  
**Subject:** FW: follow up query on uncertainty analysis

Good morning Maria,

What's your deadline, and how much wiggle room for updates will you have after online publication? A couple of hours?

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

Begin forwarded message:

**From:** Maria Hegstad <[mhegstad@iwpnews.com](mailto:mhegstad@iwpnews.com)>  
**Date:** December 13, 2017 at 10:49:32 AM EST  
**To:** <[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)>  
**Subject:** follow up query on uncertainty analysis

Hi Nancy,

Thank you for taking my questions at SRA yesterday. I mentioned an NAS report recommendation to the IRIS program about getting beyond point estimates of quantified risk, and you asked about a reference.

The report was NAS' May 2014 report, "Review of EPA's [IRIS] Process."  
Below is a link to the story I wrote at the time, which includes the relevant quote.

<https://insideepa.com/daily-news/nas-advice-opens-door-new-epa-debate-over-controversial-risk-ranges>

My question is, given that you are looking into quantitative uncertainty analyses where it is possible to perform those for the TSCA risk evaluations for existing chemicals, is the "risk range" approach recommended to IRIS something you would adopt for the TSCA evaluations?

And as a followup, it appears that OPPT is drawing on IRIS' approaches and methodologies for its existing chemicals risk evaluations. As I understand it, much of the systematic review work is based on IRIS' training and approaches, the evaluations will use IRIS hazard id and dose-response as available and OPPT is also adopting IRIS' HERO database. To me this makes sense, as OPPT is trying to stand up a new program while conducting multiple assessments under very tight deadlines. But there have long been harsh critiques of IRIS and the quality of its work -- as you know better than I. Is OPPT endorsing IRIS' work? Or are you expecting to continue to receive criticism for adopting IRIS' methodologies and approaches?

Thanks again, Maria

----

Maria Hegstad  
Managing Editor, Risk Policy Report  
703-416-8541  
Inside Washington Publishers  
[www.InsideEPA.com](http://www.InsideEPA.com)

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/6/2017 3:50:57 PM  
**To:** Kevin Elliott [kevinelliott@downtownpublications.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Media Inquiry

Kevin, for attribution to “an EPA spokesperson,” please:

Here’s the basis process for EPA's risk evaluation of asbestos.

- On December 19, 2016, EPA designated Asbestos as one of the first 10 chemical substances for which EPA would be conducting a risk evaluation as required by the Toxic Substances Control Act (TSCA) to determine whether the chemical substances present an unreasonable risk of injury to health or the environment.
  - Upon initiating the risk evaluation process for Asbestos, EPA began work to prepare the scope of the risk evaluation to be conducted. The scope of the risk evaluation must include the hazards, exposures, conditions of use, and the potentially exposed or susceptible subpopulations the Administrator expects to consider.
  - TSCA Section 6(b)(4)(D) required the EPA to publish the scope of the risk evaluation for Asbestos within six months after the initiation (by June 19, 2017); EPA has met this statutory deadline.
  - The problem formulation for asbestos is now under development.
2. Yes, the scope document had been finalized. See page 20 for the types of asbestos to be included.
3. Here’s a link to the banned and not banned uses for asbestos: <https://www.epa.gov/asbestos/us-federal-bans-asbestos>

Cheers, R.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Dec 4, 2017, at 3:05 PM, Kevin Elliott <[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)> wrote:

Yes, sorry for the confusion.

On Mon, Dec 4, 2017 at 3:00 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Kevin,

A follow-up: By comments, you presumably mean those we received in the following docket, right?

<https://www.regulations.gov/docket?D=EPA-HQ-OPPT-2016-0736>

**From:** Kevin Elliott [<mailto:kevinelliott@downtownpublications.com>]

**Sent:** Monday, December 04, 2017 1:03 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Media Inquiry

Deadline is going to be Thursday.

On Mon, Dec 4, 2017 at 12:56 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Kevin,

What's your hard deadline, please?

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

[202-564-6618](tel:202-564-6618) (O)

On Dec 4, 2017, at 12:52 PM, Kevin Elliott <[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)> wrote:

I'm looking into the EPA's risk evaluation of asbestos under the Lautenberg Act. Can you tell me the basic process and where the EPA is at in that process? Also, there seems to be some confusion, at least in looking at the comments,



regarding the EPA's Scope of Risk Evaluation, and what that will entail. Has that been finalized? What types of asbestos will be included? Will the scope of the risk assessment include legacy disposal?

Finally, in an effort to educate our readers, can you explain the current uses of asbestos permitted in the country under the EPA's jurisdiction, and what this evaluation could mean to that?

Thank you,

Kevin Elliott

Reporter

Downtown Newsmagazine

248.792.6464 ext 701

On Mon, Dec 4, 2017 at 12:19 PM, Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Hullo Kevin,

I'll work with you on your inquiry, although I can't give you comments for attribution as I'm a media officer and not a subject-matter expert. Why don't you tell me about your story and send some questions to I can forward them to the relevant program office for a response?

We could talk this afternoon if you like?

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Kevin Elliott [mailto:[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)]

**Sent:** Monday, December 04, 2017 12:16 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Media Inquiry

Robert,

I'm working on a story about asbestos and the EPA's assessment that will be done, including the EPA's review process. I was told you're the person to talk to?

Thank you,

Kevin Elliott

Reporter

Downtown Newsmagazine

248.792.6464 ext. 701

--

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248.792.6464

Message

---

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 12/6/2017 3:47:45 PM  
**To:** Daguiard, Robert [Daguiard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW: Downtown (Kevin Elliott) - Asbestos - DDL 12/6

This is fine to send.

---

**From:** Daguiard, Robert  
**Sent:** Wednesday, December 6, 2017 7:09 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Downtown (Kevin Elliott) - Asbestos - DDL 12/6

**BACKGROUND**

Nancy Beck has approved. Kevin Elliott - Downtown Newsmagazine -  
[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)

**RESPONSE**

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

**From:** Kevin Elliott <[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)>

**Date:** December 4, 2017 at 12:51:01 PM EST

**To:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Media Inquiry

I'm looking into the EPA's risk evaluation of asbestos under the Lautenberg Act. Can you tell me the basic process and where the EPA is at in that process? Also, there seems to be some confusion, at least in looking at the comments, regarding the EPA's Scope of Risk Evaluation, and what that will entail. Has that been finalized? What types of asbestos will be included? Will the scope of the risk assessment include legacy disposal?

Finally, in an effort to educate our readers, can you explain the current uses of asbestos permitted in the country under the EPA's jurisdiction, and what this evaluation could mean to that?

Thank you,

Kevin Elliott  
Reporter  
Downtown Newsmagazine  
248.792.6464 ext 701

On Mon, Dec 4, 2017 at 12:19 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Hullo Kevin,

I'll work with you on your inquiry, although I can't give you comments for attribution as I'm a media officer and not a subject-matter expert. Why don't you tell me about your story and send some questions to I can forward them to the relevant program office for a response?

We could talk this afternoon if you like?

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Kevin Elliott [mailto:[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)]

**Sent:** Monday, December 04, 2017 12:16 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Media Inquiry

Robert,

I'm working on a story about asbestos and the EPA's assessment that will be done, including the EPA's review process. I was told you're the person to talk to?

Thank you,

Kevin Elliott

Reporter

Downtown Newsmagazine

248.792.6464 ext. 701

--

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Twitter.com/DowntownPubs  
OaklandConfidential.com  
248.792.6464

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/5/2017 9:27:43 PM  
**To:** aevans@boulderweekly.com; Press [Press@epa.gov]  
**Subject:** RE: Re: questions regarding proposed EPA budget

Angela, stepping in for my colleague Tricia, who is out today. The following is for attribution to "an EPA spokesperson," please:

EPA's proposed FY 2018 budget maintains core environmental protections and regulatory obligations while focusing on the Agency's core statutory work. As laid out in the Agency's draft FY 2018-2022 Strategic Plan, the Administrator's goals are designed to transform the way the Agency does business and more efficiently and effectively deliver human health and environmental results.

Regards, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Angela Evans [mailto:aevans@boulderweekly.com]  
**Sent:** Tuesday, December 05, 2017 1:48 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Fwd: Re: questions regarding proposed EPA budget

Please see below thread, as I got an out of the office reply from Tricia Lynn.

My deadline is today and I was expecting a response by noon MST. I have a few hours to play with here, but really I would appreciate a response as soon as possible.

Thanks  
Angela

---

Angela K. Evans  
Senior Editor | Boulder Weekly  
[aevans@boulderweekly.com](mailto:aevans@boulderweekly.com)  
303-494-5511 ext. 107

----- Original Message -----

**Subject:** Re: questions regarding proposed EPA budget  
**Date:** 2017-12-04 14:05



**From:** Angela Evans <[aevans@boulderweekly.com](mailto:aevans@boulderweekly.com)>  
**To:** "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Reply-To:** [aevans@boulderweekly.com](mailto:aevans@boulderweekly.com)

Yes, I am asking about the SAC budget proposal. However, I would have the same questions for the Trump budget as well, as it's my understanding there will be some sort of reconciliation between the two and the final budget will most likely end up somewhere in between?

Thanks  
Angela

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Angela K. Evans  
Senior Editor | Boulder Weekly  
[aevans@boulderweekly.com](mailto:aevans@boulderweekly.com)  
303-494-5511 ext. 107

On 2017-12-04 13:47, Lynn, Tricia wrote:

Angela—

Just one clarification...are you asking about the SAC committee (and not the President's budget proposal)?

Thanks!

--Tricia

---

**From:** Angela Evans [<mailto:aevans@boulderweekly.com>]  
**Sent:** Monday, December 04, 2017 2:44 PM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Re: questions regarding proposed EPA budget

Hi Tricia-

My deadline is tomorrow, Tuesday Dec. 5 at 12 p.m. MST.

Here are my questions listed below, although I may have follow-up questions on the phone call depending on the answers.

Thanks,  
Angela

1) How will the proposed EPA cuts laid out in the Senate Appropriations Committee affect the state of Colorado?

Specifically,

2) If grants and other programs to Colorado are significantly cut, How will Region 8 continue to administer such programs as

a) Office of Enforcement; Additionally How many criminal investigators does the state have and is this expected to change?

b) The Integrated Risk Information System, specifically how it affects efforts to reduce the number of Code Red days in the region, given Colorado's Front Range has some of the worst ozone levels in the country?

c) Radon mitigation efforts throughout the state, specifically the metro area.

d) The clean-up of some 20 Superfund sites in the state as well as 450 brownfield sites.

Essentially, I would like to know how the proposed budget cut would affect the EPA's ability to attain it's mission of protecting human health and the environment in Colorado.

---

Angela K. Evans  
Senior Editor | Boulder Weekly  
[aevans@boulderweekly.com](mailto:aevans@boulderweekly.com)  
303-494-5511 ext. 107

On 2017-12-04 09:42, Lynn, Tricia wrote:

Hi Angela—

I'm not a subject matter expert, but I'm happy to check into the possibility of a call for you. If we can't accommodate a call, we can often respond in writing. In either case I need a list of your specific questions and your hard deadline to begin your request. Can you please forward those at your earliest convenience?

Thanks so much,

Tricia

---

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

---

**From:** Angela Evans [<mailto:aevans@boulderweekly.com>]

**Sent:** Monday, December 04, 2017 11:33 AM

**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** questions regarding proposed EPA budget

Good morning Tricia-

I'm hoping to schedule a call with you this afternoon regarding the EPA proposed budget and how it will affect the agency's operations specifically in Region 8. I contacted that office in Denver but they referred me to you. Please let me know a good time to give you a call.

Thanks  
Angela

--

Angela K. Evans  
Senior Editor | Boulder Weekly  
[aevans@boulderweekly.com](mailto:aevans@boulderweekly.com)  
303-494-5511 ext. 107

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/5/2017 8:57:58 PM  
**To:** Bruce Lilly [bruce@brucelilly.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Seeking input from the EPA concerning GHG emissions from diesel auxiliary power units for Transport Topics article

Bruce, for attribution to "an EPA spokesperson," please:

Do the GHG Phase 2 rules specifically address the use of auxiliary power units (APUs) in meeting the emission goals in the document?

Yes, the Phase 2 rule identifies the use of APUs as a technology pathway for meeting the GHG standards of tractors (see Section III.D.1.b.v of the Phase 2 preamble).

· For example, is credit given toward a total GEM score for a truck when a diesel APU or an electric APU is used on the truck?

Yes, credit is given in Phase 2 for both diesel APUs and battery APUs, along with other idle reduction technologies such as fuel operated heaters.

· Does the EPA currently require diesel APUs to have diesel particulate filters?

In the Phase 2 rule, EPA set requirements for APUs installed in new tractors to meet lower PM standards starting in 2018, with a more stringent PM standard starting in 2024. We expect that the control technology used for the model year 2024 standards will be diesel particulate filters (see Section III.3.C of the Phase 2 preamble).

---

**From:** Bruce Lilly [mailto:bruce@brucelilly.com]  
**Sent:** Tuesday, December 05, 2017 11:23 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Seeking input from the EPA concerning GHG emissions from diesel auxiliary power units for Transport Topics article

Sounds good, Robert. Thanks.

---

Bruce Lilly 812.333.2390  
410 N Park Ridge Rd [www.BruceLilly.com](http://www.BruceLilly.com)  
Bloomington, IN 47408 [Bruce@BruceLilly.com](mailto:Bruce@BruceLilly.com)

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Tuesday, December 05, 2017 11:21 AM  
**To:** Bruce Lilly  
**Subject:** RE: Seeking input from the EPA concerning GHG emissions from diesel auxiliary power units for Transport Topics article

Hey Bruce. I'm optimistic. Hopefully before too long.

I'll try circling back later in the day.

---

**From:** Bruce Lilly [<mailto:bruce@brucelilly.com>]

**Sent:** Tuesday, December 05, 2017 11:19 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** RE: Seeking input from the EPA concerning GHG emissions from diesel auxiliary power units for Transport Topics article

Hi Robert,

How are things looking from your end? Is there any chance of getting answers to my questions at some point today?

Thanks,

Bruce

---

Bruce Lilly 812.333.2390  
410 N Park Ridge Rd [www.BruceLilly.com](http://www.BruceLilly.com)  
Bloomington, IN 47408 [Bruce@BruceLilly.com](mailto:Bruce@BruceLilly.com)

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]

**Sent:** Monday, December 04, 2017 2:41 PM

**To:** Bruce Lilly; Jones, Enesta

**Subject:** RE: Seeking input from the EPA concerning GHG emissions from diesel auxiliary power units for Transport Topics article

Bruce, a quick follow-up. It doesn't look as though we'll be able to get back to you today. What's the very latest you'll accept a response? Is an extension possible?

Best, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Daguillard, Robert

**Sent:** Monday, December 04, 2017 10:18 AM

**To:** 'Bruce Lilly' <[bruce@brucelilly.com](mailto:bruce@brucelilly.com)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Subject:** RE: Seeking input from the EPA concerning GHG emissions from diesel auxiliary power units for Transport Topics article

Good morning Bruce and thanks to Enesta for forwarding. Let's touch base later today to see where things stand on your inquiry.

Regards, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Bruce Lilly [<mailto:bruce@brucelilly.com>]

**Sent:** Friday, December 01, 2017 3:20 PM

**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Cc:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** RE: Seeking input from the EPA concerning GHG emissions from diesel auxiliary power units for Transport Topics article

That's great, Enesta. Thanks for handling this. I'll look to hear from Robert on Monday.

---

Bruce Lilly	812.333.2390
410 N Park Ridge Rd	<a href="http://www.BruceLilly.com">www.BruceLilly.com</a>
Bloomington, IN 47408	<a href="mailto:Bruce@BruceLilly.com">Bruce@BruceLilly.com</a>

---

**From:** Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]

**Sent:** Friday, December 01, 2017 2:46 PM

**To:** Bruce Lilly

**Cc:** Jones, Enesta; Daguillard, Robert

**Subject:** Re: Seeking input from the EPA concerning GHG emissions from diesel auxiliary power units for Transport Topics article

Bruce, I've sent your questions on to the program for action.

Robert is back on Monday and will be in touch with the agency's responses.

Have a great weekend,  
Enesta

On Dec 1, 2017, at 2:23 PM, Bruce Lilly <[bruce@brucelilly.com](mailto:bruce@brucelilly.com)> wrote:

Hi Enesta,

Here are my questions:

- Do the GHG Phase 2 rules specifically address the use of auxiliary power units (APUs) in meeting the emission goals in the document?
- For example, is credit given toward a total GEM score for a truck when a diesel APU or an electric APU is used on the truck?
- Does the EPA currently require diesel APUs to have diesel particulate filters?
- If not, are there plans for this to happen soon?

Thanks for the quick reply to my initial inquiry. Please let me know if you think answers can be provided by Monday. If not, let me know what might be possible.

I would be happy to speak with someone over the phone if that's the best option from your end.

I appreciate your help with this,  
Bruce

---

Bruce Lilly 812.333.2390  
410 N Park Ridge Rd [www.BruceLilly.com](http://www.BruceLilly.com)  
Bloomington, IN 47408 [Bruce@BruceLilly.com](mailto:Bruce@BruceLilly.com)

---

**From:** Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]  
**Sent:** Friday, December 01, 2017 2:09 PM  
**To:** Bruce Lilly  
**Subject:** Re: Seeking input from the EPA concerning GHG emissions from diesel auxiliary power units for Transport Topics article

Hi Bruce, what are your specific questions?

On Dec 1, 2017, at 2:07 PM, Bruce Lilly <[bruce@brucelilly.com](mailto:bruce@brucelilly.com)> wrote:

Hello EPA press office,

I'm working on an article that will appear in *Transport Topics*, a journal for the trucking industry. The article will examine auxiliary power units (APUs), both diesel and electric. I want to speak with someone at the EPA concerning regulatory oversight of emissions from diesel APUs and to find out if the EPA's GHG Phase 2 regulations address the use of APUs.

Can you help me find the right person at the EPA who can comment on this subject?

I'm on a tight deadline, so I'm hoping to reach someone later today or on Monday 4 December. If that's not possible, please let me know what is possible.

Thanks for any help you can offer,  
Bruce

---

Bruce Lilly 812.333.2390  
410 N Park Ridge Rd [www.BruceLilly.com](http://www.BruceLilly.com)  
Bloomington, IN 47408 [Bruce@BruceLilly.com](mailto:Bruce@BruceLilly.com)

Message

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**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 12/5/2017 7:48:43 PM  
**To:** sreilly@eenews.net  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Lawsuit over delay in remaining attainment designations for 2015 ozone NAAQS

Hi Sean, attributable to an EPA spokesperson:

**Does EPA have a timetable for making the remaining designations?**

**Response:** The Agency intends to address designations for the 2015 Ozone NAAQS for remaining areas in a separate, future action.

**From:** Sean Reilly <sreilly@eenews.net>  
**Date:** December 4, 2017 at 5:21:22 PM EST  
**To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>, Press <Press@epa.gov>  
**Subject:** RE: Lawsuit over delay in remaining attainment designations for 2015 ozone NAAQS

Likewise, Robert; when did the hearing wind up?

And on the second question in my query below, does EPA have a timetable for making the remaining attainment designations for the 2015 ozone NAAQS?

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Monday, December 04, 2017 5:19 PM  
**To:** Sean Reilly <sreilly@eenews.net>; Press <Press@epa.gov>  
**Subject:** RE: Lawsuit over delay in remaining attainment designations for 2015 ozone NAAQS

Sean, it was good seeing you this morning.

For attribution to "an EPA spokesperson," please: The agency doesn't normally comment on pending litigation.

Regards, R.

---

**From:** Sean Reilly [mailto:sreilly@eenews.net]  
**Sent:** Monday, December 04, 2017 5:15 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Lawsuit over delay in remaining attainment designations for 2015 ozone NAAQS

Hi folks;

Let me know if you have any comment on the suit filed today that's referenced in this release. Apart from the suit, does EPA have a timetable for making the remaining designations? My deadline is 11:30 a.m. tomorrow.

Thanks,  
Sean

Sean Reilly  
Reporter



E&E News  
202-446-0433 (Desk)  
Ex. 6 Personal Privacy (PP) (Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

## E&E NEWS

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## NEWS RELEASE

### Contact:

Sharyn Stein, 202-572-3396, [sstein@edf.org](mailto:sstein@edf.org)

### **EDF, Allies Sue EPA over Failure to Implement Smog Standard, Protect the Health of 100 Million Americans**

(Washington, D.C. – December 4, 2017) A broad coalition of public health, environmental, and community groups – including Environmental Defense Fund (EDF) – filed a lawsuit against Environmental Protection Agency (EPA) Administrator Scott Pruitt today to compel him to carry out his duties under the law and implement America’s health-protective smog standard.

“Smog is a dangerous pollutant that causes or exacerbates a wide array of serious heart and lung diseases,” said EDF Senior Attorney Graham McCahan. “EPA is failing to protect more than 100 million Americans from smog. For the EPA Administrator to blatantly ignore that responsibility is legally unacceptable and morally unconscionable. American families and communities deserve cleaner, safer air to breathe.”

The Clean Air act requires EPA to establish health-based standards to limit the amount of ground-level ozone – more commonly known as smog – in the air. Areas with smog levels that violate the health-based standards must clean up their air, and areas whose pollution contributes to poor air quality in downwind communities must reduce that pollution.

EPA strengthened America’s smog standard in 2015 based on an extensive scientific record showing that earlier standards were inadequate to protect public health and welfare. EPA estimates that when communities meet the 2015 smog standard it will save hundreds of lives each year, prevent 230,000 asthma attacks in children each year, and prevent 160,000 missed school days for kids each year.

EPA faced a legal deadline of October 1, 2017, to identify the areas that have unhealthy pollution levels and must clean up their air because they violate the 2015 smog standard – formally known as finalizing the initial area designations.

In June 2017, Administrator Pruitt announced that he intended to delay finalizing the initial area designations. EPA later withdrew its plan to delay and reinstated the October 1, 2017 deadline in response to a legal challenge filed by EDF, numerous state Attorneys General, and others.

The October 1 deadline has now passed, however, and EPA has not acted. So today the coalition of health, community and environmental groups filed suit in the U.S. District Court for the Northern District of California:

“All areas of the country are legally entitled to healthy, clean air. Not all areas have it ... More than 100 million of the roughly 323 million people in the United States live in the hundreds of counties that remain as of this date without designations under the 2015 standards.” (*Complaint, pages 1 and 11*)

The American Lung Association, American Public Health Association, American Thoracic Society, Appalachian Mountain Club, Earthjustice, Environmental Law & Policy Center, National Parks Conservation Association, Natural Resources Defense Council, Sierra Club and West Harlem Environmental Action joined EDF in filing today’s lawsuit. Collectively, the groups represent more than two million Americans in all 50 states and Washington D.C.

###

**Environmental Defense Fund** ([edf.org](http://edf.org)), a leading national nonprofit organization, creates transformational solutions to the most serious environmental problems. EDF links science, economics, law and innovative private-sector partnerships. Connect with us on [EDF Voices](#), [Twitter](#) and [Facebook](#).



If you would rather not receive future communications from Environmental Defense Fund, let us know by clicking [here](#).  
Environmental Defense Fund, 257 Park Avenue South, New York, NY 10010 United States

Message

---

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 12/5/2017 7:47:23 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: E&E (Sean Reilly) re: ozone attainment designations (Deadline: 12/5)

Good to send.

---

**From:** Jones, Enesta  
**Sent:** Tuesday, December 5, 2017 1:43 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: E&E (Sean Reilly) re: ozone attainment designations (Deadline: 12/5)

**Background:** E&E reporter is asking about timing for the remaining attainment designations. We responded to him yesterday about the lawsuit. Response input from OAR/OAQPS. Sean Reilly, [sreilly@eenews.net](mailto:sreilly@eenews.net)

**Suggested Response:**

**Does EPA have a timetable for making the remaining designations?**

**Response:** Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

**From:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
**Date:** December 4, 2017 at 5:21:22 PM EST  
**To:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>, Press <Press@epa.gov>  
**Subject:** RE: Lawsuit over delay in remaining attainment designations for 2015 ozone NAAQS

Likewise, Robert; when did the hearing wind up?

And on the second question in my query below, does EPA have a timetable for making the remaining attainment designations for the 2015 ozone NAAQS?

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Monday, December 04, 2017 5:19 PM  
**To:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>; Press <Press@epa.gov>  
**Subject:** RE: Lawsuit over delay in remaining attainment designations for 2015 ozone NAAQS

Sean, it was good seeing you this morning.

For attribution to "an EPA spokesperson," please: The agency doesn't normally comment on pending litigation.

Regards, R.

---

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**Sent:** Monday, December 04, 2017 5:15 PM  
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**Subject:** Lawsuit over delay in remaining attainment designations for 2015 ozone NAAQS

Hi folks;

Let me know if you have any comment on the suit filed today that's referenced in this release. Apart from the suit, does EPA have a timetable for making the remaining designations? My deadline is 11:30 a.m. tomorrow.

Thanks,  
Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  
Ex. 6 Personal Privacy (PP) (Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

#### **E&E NEWS**

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM



#### **NEWS RELEASE**

##### **Contact:**

Sharyn Stein, 202-572-3396, [sstein@edf.org](mailto:sstein@edf.org)

#### **EDF, Allies Sue EPA over Failure to Implement Smog Standard, Protect the Health of 100 Million Americans**

(Washington, D.C. – December 4, 2017) A broad coalition of public health, environmental, and community groups – including Environmental Defense Fund (EDF) – filed a lawsuit against Environmental Protection Agency (EPA) Administrator Scott Pruitt today to compel him to carry out his duties under the law and implement America's health-protective smog standard.

"Smog is a dangerous pollutant that causes or exacerbates a wide array of serious heart and lung diseases," said EDF Senior Attorney Graham McCahan. "EPA is failing to protect more than 100 million Americans from smog. For the EPA Administrator to blatantly ignore that responsibility is legally unacceptable and morally unconscionable. American families and communities deserve cleaner, safer air to breathe."

The Clean Air act requires EPA to establish health-based standards to limit the amount of ground-level ozone – more commonly known as smog – in the air. Areas with smog levels that violate the health-based standards must clean up their air, and areas whose pollution contributes to poor air quality in downwind communities must reduce that pollution.

EPA strengthened America's smog standard in 2015 based on an extensive scientific record showing that earlier standards were inadequate to protect public health and welfare. EPA estimates that when communities meet the 2015

smog standard it will save hundreds of lives each year, prevent 230,000 asthma attacks in children each year, and prevent 160,000 missed school days for kids each year.

EPA faced a legal deadline of October 1, 2017, to identify the areas that have unhealthy pollution levels and must clean up their air because they violate the 2015 smog standard – formally known as finalizing the initial area designations.

In June 2017, Administrator Pruitt announced that he intended to delay finalizing the initial area designations. EPA later withdrew its plan to delay and reinstated the October 1, 2017 deadline in response to a legal challenge filed by EDF, numerous state Attorneys General, and others.

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“All areas of the country are legally entitled to healthy, clean air. Not all areas have it ... More than 100 million of the roughly 323 million people in the United States live in the hundreds of counties that remain as of this date without designations under the 2015 standards.” (*Complaint, pages 1 and 11*)

The American Lung Association, American Public Health Association, American Thoracic Society, Appalachian Mountain Club, Earthjustice, Environmental Law & Policy Center, National Parks Conservation Association, Natural Resources Defense Council, Sierra Club and West Harlem Environmental Action joined EDF in filing today’s lawsuit. Collectively, the groups represent more than two million Americans in all 50 states and Washington D.C.

###

**Environmental Defense Fund** ([edf.org](http://edf.org)), a leading national nonprofit organization, creates transformational solutions to the most serious environmental problems. EDF links science, economics, law and innovative private-sector partnerships. Connect with us on [EDF Voices](#), [Twitter](#) and [Facebook](#).



If you would rather not receive future communications from Environmental Defense Fund, let us know by clicking [here](#).  
Environmental Defense Fund, 257 Park Avenue South, New York, NY 10010 United States

Message

---

**From:** Dawson, Chester [chester.dawson@wsj.com]  
**Sent:** 12/5/2017 7:30:32 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Light-Duty Vehicle CO2 and Fuel Economy Trends

OK, thanks. If it's not too much to ask, I'd appreciate a heads-up when it's coming (or at least once it's out.)

On Tue, Dec 5, 2017 at 2:28 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Chester, for attribution to "an EPA spokesperson," or to the agency, please:

EPA typically releases the Fuel Economy Trends report in November or December each year. We are working to finalize the report soon.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, December 05, 2017 1:06 PM  
**To:** Dawson, Chester <[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Light-Duty Vehicle CO2 and Fuel Economy Trends

Good afternoon Chester,

Let me check.

**From:** Dawson, Chester [<mailto:chester.dawson@wsj.com>]  
**Sent:** Tuesday, December 05, 2017 1:00 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Light-Duty Vehicle CO2 and Fuel Economy Trends

Hi Robert:

Can you please update me on the status of the latest edition of the EPA's "Light-Duty Vehicle CO2 and Fuel Economy Trends" report? I notice it is typically is published in November. Does EPA expect to publish in December? And why the delay?

<https://www.epa.gov/fuel-economy-trends>

Thanks & regards,

Chester Dawson  
Senior Reporter  
Detroit Bureau  
The Wall Street Journal  
(313) 463-5091  
[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)  
@DecodeTheFirm

--

Chester Dawson  
Senior Reporter  
Detroit Bureau  
The Wall Street Journal  
(313) 463-5091  
[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)  
@DecodeTheFirm

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/5/2017 7:28:03 PM  
**To:** Dawson, Chester [chester.dawson@wsj.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Light-Duty Vehicle CO2 and Fuel Economy Trends

Chester, for attribution to "an EPA spokesperson," or to the agency, please:

EPA typically releases the Fuel Economy Trends report in November or December each year. We are working to finalize the report soon.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, December 05, 2017 1:06 PM  
**To:** Dawson, Chester <chester.dawson@wsj.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Light-Duty Vehicle CO2 and Fuel Economy Trends

Good afternoon Chester,

Let me check.

**From:** Dawson, Chester [mailto:chester.dawson@wsj.com]  
**Sent:** Tuesday, December 05, 2017 1:00 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Light-Duty Vehicle CO2 and Fuel Economy Trends

Hi Robert:

Can you please update me on the status of the latest edition of the EPA's "Light-Duty Vehicle CO2 and Fuel Economy Trends" report? I notice it is typically published in November. Does EPA expect to publish in December? And why the delay?

<https://www.epa.gov/fuel-economy-trends>

Thanks & regards,

Chester Dawson  
Senior Reporter  
Detroit Bureau



The Wall Street Journal  
(313) 463-5091  
[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)  
[@DecodeTheFirm](#)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/5/2017 2:27:31 PM  
**To:** Titus, Rhea [RTitus@wusa9.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: WUSA9 NEWS INQUIRY

Rhea, at last, and for attribution to "an EPA spokesperson," please:

As part of the registration process, EPA conducts a human health risk assessment to assure, when used according to the label, registered pesticides will not harm human health. The dietary risk assessment is one piece of the overall human health risk assessment. The most recent comprehensive risk assessment performed by EPA on triclosan was conducted using the National Health and Nutrition Examination Survey (NHANES) biological monitoring data collected by the Center for Disease Control and Prevention (CDC).

Most of the pesticidal uses of triclosan (those regulated by EPA, not FDA) are as a preservative in plastics which may come into contact with food such as ice making equipment, cutting boards, and conveyer belts. EPA's aggregate risk assessment took all human exposures to triclosan into account including both EPA-registered antimicrobial uses and US Food and Drug Administration (FDA) - regulated uses such as triclosan-containing toothpaste, hand soaps, and deodorants. Based on available data at that time, the agency concluded that total exposure to triclosan from all sources did not present risks of concern for human health. Triclosan residues that were ingested did not exceed EPA's level of concern.

For more information on how EPA came to this conclusion see the 2008 dietary assessment. For more information on these conclusions, see the Triclosan Final Work Plan Registration Review Case 2340:  
<https://www.regulations.gov/document?D=EPA-HQ-OPP-2012-0811-0016>

Thanks for your patience, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 M)

---

**From:** Titus, Rhea [mailto:RTitus@wusa9.com]  
**Sent:** Monday, December 04, 2017 7:25 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: WUSA9 NEWS INQUIRY

H Roberta,, do you have an ETA on the response?

Thanks, I appreciate your help

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Monday, December 4, 2017 4:32 PM  
**To:** Titus, Rhea <RTitus@wusa9.com>  
**Subject:** RE: WUSA9 NEWS INQUIRY

\*External Email – Be Suspicious of Attachments, Links and Requests for Login Information\*

Rhea, a follow-up: Colleagues say they expect a response soon.

Cheers, R.

---

**From:** Titus, Rhea [<mailto:RTitus@wusa9.com>]  
**Sent:** Monday, December 04, 2017 4:16 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: WUSA9 NEWS INQUIRY  
**Importance:** High

Hi Robert, just checking in to see if you had a response yet regarding my question, thanks.

**RHEA TITUS**

WUSA9 News Researcher



A **TEGNA** Company | 4100 Wisconsin Ave NW, Washington, DC 2001  
[rtitus@wusa9.com](mailto:rtitus@wusa9.com) | P. 202.895.5507 |

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, November 29, 2017 3:58 PM  
**To:** Titus, Rhea <[RTitus@wusa9.com](mailto:RTitus@wusa9.com)>  
**Subject:** RE: WUSA9 NEWS INQUIRY

\*External Email – Be Suspicious of Attachments, Links and Requests for Login Information\*

Hullo Rhea,

The program is working on a response. I seem to remember you and I were hoping to reconnect by Monday? Please advise.

Thanks, R.

---

**From:** Titus, Rhea [<mailto:RTitus@wusa9.com>]  
**Sent:** Wednesday, November 29, 2017 3:42 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** WUSA9 NEWS INQUIRY  
**Importance:** High

Hi Robert, this is Rhea at WUSA9 News in DC. Do you have an update on the triclosan question I had?

Thanks

**RHEA TITUS**

WUSA9 News Researcher



**A TEENA Company** | 4100 Wisconsin Ave NW, Washington, DC 2001  
[rtitus@wusa9.com](mailto:rtitus@wusa9.com) | P. 202.895.5507 |

Message

---

**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 12/4/2017 9:46:59 PM  
**To:** Abrahm Lustgarten [Abrahm.Lustgarten@propublica.org]  
**Subject:** RE: Press Inquiry about Superfund

Abrahm—

For attribution, if attributing, to “an EPA spokesperson:”

EPA does not have sufficient information to replicate the analysis that arrived at the 900 Superfund site figure and thus cannot comment on its veracity. We recommend that you contact the authors of the report.

Best,

Tricia

---

**From:** Abrahm Lustgarten [mailto:Abrahm.Lustgarten@propublica.org]  
**Sent:** Thursday, November 30, 2017 2:41 PM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** Re: Press Inquiry about Superfund

Hi Tricia,

Let me ask a follow up a different way: does EPA consider the statement about 900 Superfund sites in the cancer report to be accurate?

Thanks,  
Abrahm

---

**From:** "Lynn, Tricia" <lynn.tricia@epa.gov>  
**Date:** Thursday, November 30, 2017 at 10:49 AM  
**To:** Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>  
**Subject:** RE: Press Inquiry about Superfund

Abrahm—

If attributing, please attribute to “an EPA spokesperson:”

The query cited in the 2009 report is still available at <https://cumulis.epa.gov/supercpad/cursites/srchsites.cfm>.

This link can be used to conduct an updated search. We recommend clicking on the NPL Status tab on the above-referenced page and selecting Y for the Federal Facility Indicator. The resulting output provides a list of sites with links to additional information.

When running this query, as of Nov. 28, a list of 1,087 sites will be generated. This list includes sites in the Superfund database that are both NPL and non-NPL. It is important to note that the report references “nearly 900 **Superfund** sites.” (Emphasis added) There are many non-NPL sites that have had Superfund involvement and are included in our database.

You can further filter to only **NPL** sites by selecting three statuses from the “NPL Status” option -- Currently on the Final NPL, Deleted from the Final NPL and Proposed for NPL -- which provides a smaller list of 177.

There are several ways to retrieve the NPL listing dates:

- The listing dates for NPL sites are also included in the List 8R report at <https://www.epa.gov/superfund/superfund-data-and-reports>. The FOIA 3, FOIA 4, and FOIA 5 reports on this page also display listing dates for the proposed, final and deleted NPL sites.
- Go to <https://www.epa.gov/superfund/superfund-national-priorities-list-npl> and click on the links to return applicable lists of sites.
- In the above query that returns 1,087 sites, NPL sites listed in the results will link to a site-specific web area. Go to the Cleanup Activities page, then to the Cleanup Progress page, which displays Site-Wide Milestones, where you can view NPL listing dates.

EPA doesn't track if a site supported the development of materials for military purposes, but the Superfund data system does track federal agency ownership (e.g., DOD, Department of Army, Department of Navy, etc.).

Best,

Tricia

---

**From:** Abrahm Lustgarten [<mailto:Abrahm.Lustgarten@propublica.org>]

**Sent:** Tuesday, November 21, 2017 2:52 PM

**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** Press Inquiry about Superfund

**Importance:** High

Hi Lynn,

I'm a reporter at ProPublica, with an urgent request for a story I'm fact checking at the moment. I'm looking for a listing of which superfund sites are federal facilities, defense facilities, or private but supported the development of materials for military purposes. And I'd like the listing date as well. Is this available? I cannot find information sorted or a available in this way anywhere on the EPA's website.

A 2009 annual report from the President's Cancer Panel (attached, p. 77) makes a reference to 900 NPL sites matching that description, and as a reference links to an EPA page which no longer functions.

Would appreciate either being pointed to the information source, or a quick background conversation with someone who can talk about it and provide some numbers. For instance, I'd like to be able to calculate how many military-related sites were listed initially in 1981, how many on the second round of listing in 1984, and so forth.

Deadline is this week, before Thanksgiving.

Thank you,  
Abrahm

Abrahm Lustgarten  
Senior Reporter, ProPublica  
917-589-1262

Signal: Ex. 6 Personal Privacy (PP)



Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/4/2017 8:01:44 PM  
**To:** Elliott Blackburn [elliott.blackburn@argusmedia.com]; Press [Press@epa.gov]  
**Subject:** RE: Economic harm waiver

Elliott, for attribution to "an EPA spokesperson," please:

We will review the requests and respond through the appropriate channels.

Thanks, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]  
**Sent:** Monday, December 04, 2017 10:55 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Economic harm waiver

Good morning,

EPA in its final volumes last week said there was not "sufficient evidence to conclude that severe economic harm" was underway today or likely next year. Does Pennsylvania governor Tom Wolf's request for a waiver remain under review? And given the agency's published analysis last week, what will the process be for Texas Governor Greg Abbott's request late last week? Is a review necessary?

Thank you,

Elliott

**Elliott Blackburn**  
*Downstream Reporter*

[www.argusmedia.com](http://www.argusmedia.com)  
Direct: +1 713 429 6350  
Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/user/elliott.blackburn@argusmedia.com)  
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Argus Media Limited, Lacon House, 84 Theobald's Road, London WC1X 8NL Registered in England and Wales, Company Registration No: 1642534 VAT Registration No: GB 229 7149 41

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/4/2017 7:09:01 PM  
**To:** Jackie Toth [jackieto@cqrollcall.com]; Press [Press@epa.gov]  
**Subject:** RE: Press re: Barrasso RFS study request

Hey Jackie,

For attribution to "an EPA spokesperson," please:

We will respond to Chairman Barrasso's letter through the appropriate channels.

Thanks, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Jackie Toth [mailto:jackieto@cqrollcall.com]  
**Sent:** Monday, December 04, 2017 1:18 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Press re: Barrasso RFS study request

Hi all,

Happy Monday. We're back in action.

Has the EPA received Chairman Barrasso's Dec. 1 letter asking the EPA to complete a study into the env. impacts of the RFS? Will the EPA be completing the study by Sept. 30, 2018 as Barrasso requests?

Deadline is no later than 3:30pm today.

Thanks as ever,

-----  
Jackie Toth  
CQ Legal  
Energy & Environment Reporter/Analyst  
O: 202-650-6518  
C: Ex. 6 Personal Privacy (PP)  
@JackieTothDC

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Message

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**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 12/4/2017 6:45:19 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Seeking source for article on safe spring cleaning

Sounds good thanks.

---

**From:** Daguillard, Robert  
**Sent:** Monday, December 4, 2017 1:45 PM  
**To:** Press <Press@epa.gov>  
**Subject:** RE: Seeking source for article on safe spring cleaning

Flaggins, as **Ex. 5 Deliberative Process (DP)** the reporter sent us for review. Will forward right now.

---

**From:** Daguillard, Robert  
**Sent:** Monday, November 20, 2017 3:49 PM  
**To:** Susan Vargas <**Ex. 6 Personal Privacy (PP)**>  
**Cc:** Press <Press@epa.gov>  
**Subject:** FW: Seeking source for article on safe spring cleaning

Susan, for attribution to "an EPA spokesperson," please:

**Question 1. What are the most common risks associated with use of household cleaning products?**

The riskiest thing about using any product in your home is using the product incorrectly. Chemicals in household cleaners are safe when used as directed. Acute effects from cleaners are rare. There are instances where mixing products results in the generation of harmful chemicals. Chronic effects, such as respiratory and dermal issues, are also possible, especially for those working in cleaning professions. It's important to note that some household products that include antimicrobial claims, like sanitizing or disinfecting surfaces, killing germs, controlling bacteria or eliminating mold, are pesticide products regulated by EPA. Since these products control organisms that are invisible to the eye, EPA requires special tests to ensure that they work as claimed. These products can be used safely if the consumer follows the directions on the label.

**Question 2. What are the best ways to avoid those risks? Do you recommend any particular safety precautions or equipment? What kinds of precautions should consumers take with regard to mixing household cleaners?**

It is important to always read and follow the label directions. Consumer product labels contain valuable use instructions and precautions that can help you keep your family, pets, and community safe.

Consumers should never mix household cleaners. Some chemicals, such as sodium hypochlorite (bleach), are very reactive and should be handled with caution. Bleach mixed with ammonia generates harmful chloramine gas.

**Questions 3. Are there products consumers should avoid or be particularly careful with, and are there safer alternatives they can choose instead?**

Consumers should use caution around reactive chemicals, and around chemicals with an extreme pH. Lye, for example, has a very low pH and can cause burns on skin and can permanently damage eyes.

EPA has a Safer Choice program that certifies products with ingredients that met certain human and environmental health and safety criteria. Information on EPA's Safer Choice program can be found at: [www.epa.gov/saferchoice/products](http://www.epa.gov/saferchoice/products).

**Question 4. Are some cleaning products appropriate for use in some areas of the house but not others (food-preparation surfaces, etc.)?**

Read the label to learn what a product is meant to do, where to use it and how it should be applied.

**Question 5. What common mistakes or misconceptions have you seen with regard to use of household cleaning products?**

Some common mistakes are consumers purchasing a product that is not well-suited for the job, using an incorrect amount of product (more is not necessarily better!), and not reading and following the label instructions and precautions.

Regards, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Susan Vargas [mailto:[Ex. 6 Personal Privacy \(PP\)](mailto:Ex.6PersonalPrivacy(PP)@epa.gov)]  
**Sent:** Monday, November 13, 2017 3:18 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Seeking source for article on safe spring cleaning

Hello,

I'm writing an article with tips for safe spring cleaning for the National Safety Council's *Family Safety + Health* magazine. I'm especially interested in how consumers can avoid dangerous cleaning products or practices (such as mixing ammonia and bleach, inadequate ventilation, etc.). Given the EPA's Safer Choice program, I'm hoping you might be able to connect me with an appropriate source for a phone interview.

If possible, I'd like to conduct the phone interview by this **Friday, Nov. 17**. I'd be happy to send my questions in advance, and the source would have an opportunity to review his/her quotes before I submit the article.

Thanks,  
Susan

--  
Susan Vargas-Sheltra  
Freelance writer and editor  
Ex. 6 Personal Privacy (PP)  
[217-493-1928](tel:217-493-1928)

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/4/2017 6:44:39 PM  
**To:** Press [Press@epa.gov]  
**Subject:** RE: Seeking source for article on safe spring cleaning  
**Attachments:** Seven Secrets of Safe Spring Cleaning V2.docx

Flaggins, as **Ex. 5 Deliberative Process (DP)** the reporter sent us for review. Will forward right now.

---

**From:** Daguillard, Robert  
**Sent:** Monday, November 20, 2017 3:49 PM  
**To:** Susan Vargas <**Ex. 6 Personal Privacy (PP)**>  
**Cc:** Press <Press@epa.gov>  
**Subject:** FW: Seeking source for article on safe spring cleaning

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Regards, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) M)

**From:** Susan Vargas [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Monday, November 13, 2017 3:18 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Seeking source for article on safe spring cleaning

Hello,

I'm writing an article with tips for safe spring cleaning for the National Safety Council's *Family Safety + Health* magazine. I'm especially interested in how consumers can avoid dangerous cleaning products or practices (such as mixing ammonia and bleach, inadequate ventilation, etc.). Given the EPA's Safer Choice program, I'm hoping you might be able to connect me with an appropriate source for a phone interview.

If possible, I'd like to conduct the phone interview by this **Friday, Nov. 17**. I'd be happy to send my questions in advance, and the source would have an opportunity to review his/her quotes before I submit the article.

Thanks,  
Susan

--  
Susan Vargas-Sheltra  
Freelance writer and editor  
Ex. 6 Personal Privacy (PP)  
217-493-1928

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/5/2018 4:56:58 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**Subject:** RE: Polyurethane

Copy that.

---

**From:** Block, Molly  
**Sent:** Monday, March 05, 2018 11:56 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Polyurethane

My bad. I forgot to 

Ex. 5 Deliberative Process (DP)
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Ex. 5 Deliberative Process (DP)
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**From:** Daguillard, Robert  
**Sent:** Monday, March 5, 2018 11:54 AM  
**To:** Sean Hakes <sean@coloradopress.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Polyurethane

Sean, for attribution to "an EPA spokesperson," please:

The four chemicals listed on the safety data sheet are listed on the TSCA chemical inventory. An polyurethane could be regulated under other EPA, federal, or state regulations in addition to TSCA. More information on these chemicals can be found via ChemView: [https://chemview.epa.gov/chemview?tf=0&ch=85535-85-9\\_9016-87-9\\_115-10-6\\_106-99-0&su=2-5-6-7&as=3-10-9-8&ac=1-15-16-6378999&ma=4-11-1981377&tds=0&tdl=10&tas1=1&tas2=asc&tas3=undefined&tss=](https://chemview.epa.gov/chemview?tf=0&ch=85535-85-9_9016-87-9_115-10-6_106-99-0&su=2-5-6-7&as=3-10-9-8&ac=1-15-16-6378999&ma=4-11-1981377&tds=0&tdl=10&tas1=1&tas2=asc&tas3=undefined&tss=)

EPA does not have disposal guidelines specific to this type of waste, so it would follow the hazardous waste identification process and manage it accordingly. State regulatory requirements may be more stringent than the federal program so state regulations should also be consulted. More information about the hazardous waste identification process can be found here: <https://www.epa.gov/hw/criteria-definition-solid-waste-and-solid-and-hazardous-waste-exclusions>.

Regards, R.

---

**From:** Sean Hakes [mailto:sean@coloradopress.net]  
**Sent:** Friday, March 02, 2018 12:58 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Polyurethane

Hi, Robert,

There isn't anything in particular besides some information that was given to us regarding the use of polyurethane foam and its use to lift concrete.

We've reviewed various manufactures safety data sheets which is when it became apparent this stuff is pretty nasty. One particular hazard statement included:

1. H222 Extremely flammable aerosol.
2. H229 Pressurised container: may burst if heated
3. H315 Causes skin irritation.
4. H317 May cause an allergic skin reaction.
5. H319 Causes serious eye irritation.
6. H332 Harmful if inhaled.
7. H334 May cause allergy or asthma symptoms or breathing difficulties if inhaled.
8. H335 May cause respiratory irritation.
9. H351 Suspected of causing cancer.
10. H362 May cause harm to breastfed children.
11. H373 May cause damage to organs through prolonged or repeated exposure.
12. H411 Toxic to aquatic life with long-lasting effects.

Based on what we've seen, we'd like to know how the EPA views the polyurethane foam product. We're still in the process of finding an expert in this field who can elaborate more however; it appears that this stuff is likely not that environmentally friendly, or safe at that.

I'm still very interested in your thoughts.

Many thanks,

Sean Hakes

On Wed, Feb 21, 2018 at 7:06 AM, Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Sure thing. Incidentally, I notice you're based in Colorado. Is there any local health/environmental concern that's prompted your inquiry?

Thanks in advance, R.

---

**From:** Sean Hakes [mailto:[sean@coloradopress.net](mailto:sean@coloradopress.net)]

**Sent:** Wednesday, February 21, 2018 9:02 AM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Re: Polyurethane

Fantastic, thank you.

Thank you,

Sean Hakes



303.731.6588

Sent from my iPhone

On Feb 21, 2018, at 6:51 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Sean. We'll work on a Friday response – and let you know if anything changes.

Regards, R.

---

**From:** Sean Hakes [<mailto:sean@coloradopress.net>]  
**Sent:** Wednesday, February 21, 2018 8:27 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Polyurethane

Hi, Robert,

Thank you for the quick response. We're hoping for the 23rd however, if that's too soon our hard deadline is on 26th.

Thank you again for your time.

Sean Hakes

303.731.6588

Sent from my iPhone

On Feb 21, 2018, at 5:34 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Sean (if I may and please, call me Robert),

Thanks for reaching out. What's your deadline, please?

Robert Daguiard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Feb 21, 2018, at 12:25 AM, Sean Hakes <[sean@coloradopress.net](mailto:sean@coloradopress.net)> wrote:

**Mr. Daguiard,**

First, thank you for your time. I hope you're the right contact for my questions. We're preparing an article regarding polyurethane application for 'concrete lifting,' and 'foundation repair.'

We landed first on this manufactures safety data sheet: <https://303news.com/wp-content/uploads/2018/02/safety-data-sheet.pdf>.

**Please comment on the following if you can:**

1. Is polyurethane considered a chemical under the Toxic Substances Control Act?
2. Are there guidelines in place regarding the proper disposal of polyurethane and specific application for concrete lifting?
3. Is it possible that polyurethane can 'leak' toxins into ground soil and potentially groundwater?

Thanks again for your time. I look forward to your response.

Sincerely,

--

--

**Sean Hakes**

The Colorado Press | Castle Rock Community News  
Community News, Lifestyle & Technology

2851 S. Parker Road Penthouse 30 Denver, CO 80014

P: 720.940.9056 E: sean@coloradopress.net W: www.coloradopress.net

Check us out on Facebook: <http://facebook.com/coloradocastlerock/>.

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**Sean Hakes**

Colorado Press | Castle Rock Community News  
Community News, Lifestyle & Technology

2851 S. Parker Road Penthouse 30 Denver, CO 80014

P: 720.940.9056 E: sean@coloradopress.net W: www.coloradopress.net

Check us out on Facebook: <http://facebook.com/coloradocastlerock/>.

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/21/2017 8:36:50 PM  
**To:** Press [Press@epa.gov]  
**Subject:** FOR REVIEW - INSIDE EPA (David LaRoss) - C2P2 - DDL 12/21

BACKGROUND:

The Associate Director of the Resource Conservation and Sustainability Division approved this response, based largely on previously drafted background language. David LaRoss- Inside EPA – [dlaross@iwpnews.com](mailto:dlaross@iwpnews.com)

RESPONSE

# Ex. 5 Deliberative Process (DP)

----- Forwarded Message -----

**Subject:** Re: Press request on C2P2  
**Date:** Thu, 21 Dec 2017 10:35:24 -0500  
**From:** David LaRoss <[dlaross@iwpnews.com](mailto:dlaross@iwpnews.com)>  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

Tricia -

Thanks! I've updated the story, but would also like to follow up if I could -- what action or report does EPA see as addressing the second IG recommendation? Is it part of the RCRA coal ash rule?

David LaRoss  
Inside EPA  
(703) 416-8536

On 12/20/2017 4:11 PM, Lynn, Tricia wrote:

David—

For attribution to "an EPA spokesperson:"

The Agency appreciates working with stakeholders on the responsible beneficial use of CCR, as well as other non-hazardous industrial secondary materials. We fully addressed the concerns that had been raised by EPA's IG. The Agency has not made a decision to revive the Coal Combustion Products Partnership (C2P2) Program.

Best,

Tricia

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Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

---

**From:** David LaRoss [<mailto:dlaross@iwpnews.com>]  
**Sent:** Tuesday, December 19, 2017 1:09 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Press request on C2P2

I'm working on a story for *Inside EPA* about environmentalists' letter yesterday urging EPA not to quickly revive the Coal Combustion Partnership Program (C2P2) as industry has requested, and signaled is likely. Does EPA have a comment on the potential for reviving the program?

Deadline is close of business -- we may post the story earlier in the afternoon, but we'll update it with any comment received from EPA today.

--

David LaRoss  
Inside EPA  
(703) 416-8536

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/13/2019 6:57:48 PM  
**To:** Kathleen ODonnell [Kathleen.ODonnell@acuris.com]; Press [Press@epa.gov]  
**Subject:** RE: Press inquiry

Hullo again Kathie,

For attribution to “an EPA Spokesperson,” please:

The Safe Drinking Water Act (SDWA) was originally passed by Congress in 1974 to protect public health by regulating the nation’s public drinking water supply. The law was amended in 1986 and 1996 and requires many actions to protect drinking water and its sources. In 1991, EPA published a regulation to control lead and copper in drinking water.

[www.epa.gov/sdwa](http://www.epa.gov/sdwa)  
<https://www.epa.gov/dwreginfo/lead-and-copper-rule>

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP) (M)**

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**From:** Kathleen ODonnell <Kathleen.ODonnell@acuris.com>  
**Sent:** Wednesday, March 13, 2019 9:59 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Press inquiry

Hi, can you tell me how the lead and copper rule relates to the Safe Drinking Water Act.? Is it correct to say that it is a federal regulation adopted following the Safe Drinking Water Act?

Kathie O'Donnell  
Reporter  
**Debtwire Municipals**  
Phone: 717-877-0019  
Fax: 212-686-2664  
[Kathleen.ODonnell@acuris.com](mailto:Kathleen.ODonnell@acuris.com)  
[www.debtwire.com](http://www.debtwire.com)  
330 Hudson Street, 4th Floor  
New York, NY 10013

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was sent by a company owned by Mergermarket USA Inc.  
Incorporated in Delaware with company number 5447335

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/21/2017 6:31:46 PM  
**To:** Press [Press@epa.gov]  
**Subject:** FLAGGING: Superfund letter from Energy and Commerce

I'll send the following to Sylvia and to Jackie Toth (CQ), unless I hear otherwise.

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

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<https://www.eenews.net/greenwire/2017/12/21/stories/1060069683>

**House Republicans query Pruitt about Superfund list**

Kevin Bogardus, E&E News reporter

Published: Thursday, December 21, 2017

**EPA**



Republican lawmakers in the House are asking U.S. EPA about how it developed its list of toxic waste sites needing "immediate, intense action" under the Superfund program. markzvo/Wikipedia

Senior House Energy and Commerce Committee Republicans are questioning U.S. EPA about how the agency crafted its list of Superfund toxic waste sites requiring "immediate, intense action."

Republican Reps. Greg Walden of Oregon, Fred Upton of Michigan and John Shimkus of Illinois sent a letter today to Administrator Scott Pruitt asking for more information on the list of 21 Superfund sites designated as the agency's highest priority.



EPA released the list this month, a day after Pruitt appeared before the Environment Subcommittee. Lawmakers quizzed him about sites at the hearing, but Pruitt didn't clue them in on which ones would be included on the list and why.

"During the Environment Subcommittee hearing the previous day, Members specifically asked you about the list, and despite many of the sites included being of particular concern to Committee Members, we did not receive any indication from you that these sites would be included," said the lawmakers.

"The Superfund cleanup program already involves a significant amount of process, and it is not clear how creating another list of sites will expedite cleanups. Furthermore, it is not clear how the sites on the 'Top-21 List' were selected."

Walden is chairman of the full committee. Upton leads the Energy Subcommittee and Shimkus heads the Environment Subcommittee.

**EPA spokesman Jahan Wilcox said, "We will respond to Congressmen Walden, Upton and Shimkus through the proper channel."**

The lawmakers also noted in their letter that EPA has indicated so far there is "no commitment of additional funding" for sites included on the list.

"We question what it will mean for sites to be on the List and whether the potential stigma of being included on a list targeted for 'immediate, intense action' with no additional funding, will help or hinder the progress at these sites," the members said.

The lawmakers asked EPA for an explanation of what the agency means in providing "direct engagement" for the sites, as well as who was consulted when drafting the list. They said they would appreciate a response by Jan. 8.

The House Republicans may not get many documents. EPA's Superfund Task Force, which helped create the list, kept no internal records of its activities, according to the agency's response to Freedom Of Information Act litigation by watchdog group Public Employees for Environmental Responsibility ([Greenwire](#), Dec. 20).

---

**From:** Carignan, Sylvia [mailto:scarignan@bloombergenvironment.com]

**Sent:** Thursday, December 21, 2017 12:49 PM

**To:** Press <Press@epa.gov>

**Subject:** Superfund letter from Energy and Commerce

Hi EPA,

I just saw this letter from the House Energy and Commerce Committee about Administrator Pruitt's list of 21 sites:

<https://energycommerce.house.gov/wp-content/uploads/2017/12/20171221EPA.pdf>

Would EPA like to comment on this today? My deadline is 3 p.m.

Best,  
Sylvia

2 2 3 3 4 4 5 5 6 6 7 7 8 8 9 9 10 10  
 11 11 12 12 13 13 14 14 15 15 16 16 17 17 18 18 19 19

**Sylvia Carignan**  
Reporter, Superfund and Waste

**Bloomberg BNA**  
1801 S Bell St, Arlington VA 22202

Direct 703-341-3708  
scarignan@bloombergenvironment.com

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/13/2019 6:39:09 PM  
**To:** Bunge, Jacob [Jacob.Bunge@wsj.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Inquiry on glyphosate

Good afternoon Jacob,

Let me check.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <Jacob.Bunge@wsj.com>  
**Sent:** Wednesday, March 13, 2019 2:20 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Inquiry on glyphosate

Robert, this EPA web page says the agency expects to "publish the proposed interim registration review decision for glyphosate in 2019." Is that still the current timeframe?

<https://www.epa.gov/pesticides/epa-releases-draft-risk-assessments-glyphosate>

Thanks,  
Jacob

On Fri, Mar 1, 2019 at 2:35 PM Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)> wrote:

Robert, thanks for your response, but these are questions for EPA, not these litigants.

Let me rephrase:

Has EPA analyzed or investigated the alleged role of Monsanto's scientists in a number of studies evaluating glyphosate's safety profile, some of which have been cited in the EPA's review of glyphosate? If so, what were the conclusions?

Other regulatory agencies have examined this matter and responded, and I need to understand the EPA's position, if there is one. Thanks--

-Jacob

On Fri, Mar 1, 2019 at 2:21 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Jacob,

You'd have to ask the parties to the case for any comment on their arguments and theories in that case. – **EPA Spokesperson.**

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>

**Sent:** Thursday, February 28, 2019 5:36 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Inquiry on glyphosate

Robert, following up on this -- the response below lays out the EPA's process and criteria for considering studies and research as part of the pesticide registration process, but it doesn't speak to the question of how the EPA has considered these allegations by the plaintiffs' lawyers over the past couple of years that Monsanto's scientists played an inappropriate role in reviewing and editing a handful of studies into this subject. I was curious whether the EPA has responded to those assertions:

> I wanted to understand how the EPA considers this sort of involvement in the context of reviewing the scientific literature for the re-registration process, why these assertions by the plaintiffs' attorneys are or are not a concern, and whether the EPA has inquired further about the company's involvement in scientific research that's considered as part of the regulatory review process for this product.

I looked through the documents linked at the bottom of your email, but haven't yet been able to see if this is addressed. If I'm missing it please let me know, and I will look further myself.

Thanks,

Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Tue, Feb 26, 2019 at 2:52 PM Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Jacob, for attribution to “an EPA Spokesperson,” please:

“The Federal Insecticide, Fungicide and Rodenticide Act requires that pesticide manufacturers conduct and submit to EPA studies to support registration, registration review, and reregistration decisions. Congress placed this obligation on the pesticide manufacturer rather than requiring EPA to develop and fund such data development. The required data provide a wide range of information and include the following: product chemistry, product performance, studies that determine hazard to humans and domestic animals, studies that determine hazard to non-target organisms, post-application exposure studies, applicator/user exposure studies, pesticide spray drift studies, environmental fate, and residue chemistry studies.

EPA has practices in place and enforcement policies to help ensure that registrant-developed data represent sound science. For example, EPA developed an extensive set of guidelines that applicants and registrants use in developing required data. Laboratories must conduct required studies in accordance with Good Laboratory Practices (GLP) to ensure data quality and integrity. EPA’s Office of Enforcement and Compliance Assurance (OECA) periodically inspects labs that conduct required studies to ensure that labs are in compliance with GLP. Once studies are submitted to the Agency, EPA scientists review studies to ensure that the design of the study is appropriate and that the data are collected and analyzed accurately.

In addition to registrant-submitted studies, EPA scientists review pesticide studies from peer-reviewed scientific journals and data from a wide variety of sources when they are available. In doing so, agency scientists identify hazards and characterize risks using the best data available for their review. EPA’s criteria for evaluating open literature data for both human health and ecological risk assessments are available on the EPA’s website. See <https://www.epa.gov/pesticide-registration/understanding-science-behind-epas-pesticide-decisions> for information on Understanding the Science behind EPA’s Pesticide Decisions, especially the subsections, “When EPA Receives New Studies” and “Transparency and Scientific Integrity.”

The Freedom of Information Act is the means through which the public can gain access to registrant-submitted studies and EPA's review of those studies.

EPA's cancer evaluation for glyphosate included studies submitted to the Agency and relevant studies from the open literature. See <https://www.regulations.gov/document?D=EPA-HQ-OPP-2009-0361-0086> for a bibliography of studies submitted by glyphosate registrants and reviewed by EPA. More information on how the studies were identified and evaluated can be found in the revised glyphosate issue paper (<https://www.regulations.gov/document?D=EPA-HQ-OPP-2009-0361-0073>) and <https://www.regulations.gov/document?D=EPA-HQ-OPP-2009-0361-0067>

Cheers, R.

Robert Daguiard

Office of Media Relations

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Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>

**Sent:** Friday, February 22, 2019 2:40 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Re: Inquiry on glyphosate

Thanks, I'll check in with you then

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Fri, Feb 22, 2019 at 1:38 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Jacob,

So, I'm off to a doctor's appointment shortly. I don't expect we'll be getting back to you today. Monday is probably more likely, but why don't we raincheck our chat till then?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>

**Sent:** Friday, February 22, 2019 2:19 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Inquiry on glyphosate

Robert, can we follow up on this today?

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Tue, Feb 19, 2019 at 11:10 AM Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)> wrote:

That should work, thanks.

-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  

Ex. 6 Personal Privacy (PP)

 (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Tue, Feb 19, 2019 at 11:03 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Jacob. Let's shoot for 3 PM Eastern, then?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>  
**Sent:** Tuesday, February 19, 2019 11:59 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Inquiry on glyphosate

Thanks. Right now I am tied up from 2-2:30 your time, but otherwise free, at the office number below.



-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  

Ex. 6 Personal Privacy (PP)

 (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Tue, Feb 19, 2019 at 10:58 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Jacob,

Yes, I can talk to you today. But I must make it very clear I won't be giving you comments for publication, whether on the record, or on background. I really just want to get a better understanding of your ask, of your bigger story (are you, for instance, referencing the ongoing Monsanto litigation in California, etc).

Once I have all that, we'll be in a much better position to work on a response for you.

Let me know if there's a time that works for you this afternoon.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP)

 (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>  
**Sent:** Tuesday, February 19, 2019 11:54 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Inquiry on glyphosate

Robert, can you talk on this today?

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Fri, Feb 15, 2019 at 4:27 PM Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)> wrote:

Hi Robert, good to hear from you. I'm back in the office on Tuesday, if there's a time that works on your end that day.

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Fri, Feb 15, 2019 at 4:26 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Jacob,

Why don't we touch base early next week, maybe Tuesday?

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Feb 15, 2019, at 5:23 PM, Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)> wrote:

Maggie, thanks for your response, and sorry for the delay getting back to you on this. I have been pulled into a couple other articles in the meantime.

My question relates to the EPA's assessment of glyphosate in the context of the internal company communications that have been disseminated by plaintiffs' attorneys, in which Monsanto officials in some cases review and make edits to research manuscripts being worked on by academics and non-company scientists. Some of these company communications have concerned studies that the EPA has considered as part of its registration review of glyphosate, such as Kier and Kirkland (2013), Mink et al (2012) and Williams et al (2000), in which plaintiffs' attorneys say the company communications show that Monsanto's scientists reviewed and in some cases proposed edits to these papers.

The company previously has said that the authors' conclusions remain their own and that any edits amounted to textual/editorial changes. I wanted to understand how the EPA considers this sort of involvement in the context of reviewing the scientific literature for the re-registration process, why these assertions by the plaintiffs' attorneys are or are not a concern, and whether the EPA has inquired further about the company's involvement in scientific research that's considered as part of the regulatory review process for this product.

Please let me know if we could set something up by the end of next week, Feb. 22.

-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)

Ex. 6 Personal Privacy (PP) (mobile)  
Jacob.bunge@wsj.com

@jacobbunge

On Wed, Feb 6, 2019 at 8:10 AM Sauerhage, Maggie <Sauerhage.Maggie@epa.gov> wrote:

Good morning,

A colleague forwarded your voicemail sharing that you had some questions on EPA's assessment of glyphosate. If you could please send me your questions and deadline, we can work on getting them answered for you.

Thanks,

Maggie

Maggie Sauerhage

Office of Public Affairs

U.S. Environmental Protection Agency

**From:** Daguiard, Robert [Daguiard.Robert@epa.gov]  
**Sent:** 3/13/2019 3:34:08 PM  
**To:** Will T [Ex. 6 Personal Privacy (PP)]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: PBS NewsHour Asbestos

Morning Will,

For attribution to “an EPA Spokesperson,” please:

1.

**Under the Obama administration, the EPA had a broader interpretation of the “conditions of use” of chemicals that are considered for regulation under TSCA. the Trump administration has a Much more narrow view. Specifically, the definition now excludes “legacy” applications — past uses of the chemical that had been discontinued. In the case of asbestos, these legacy applications have a potentially huge impact on American citizens. There is asbestos insulation and building materials in about 35 million homes, for example. It also means that exposure comes from the improper disposal of chemicals that leads to contamination of drinking water for example, will not be a factor in any decision on restricting them.**

2. **How can the EPA keep adhering to the statutory obligations under TSCA and yet ignore this huge potential source of exposure to asbestos?**

**Answer to 1 and 2:** While asbestos was selected as one of the first ten chemicals under the previous administration, the conditions of use for the asbestos risk evaluation were defined for the first time in the scoping (June 2017) and problem formulation (June 2018) documents. EPA is focusing its risk evaluation on asbestos currently manufactured, imported, processed or distributed in the United States, which falls within the agency’s TSCA jurisdiction. These are uses of chemicals for which EPA can take management steps to regulate unreasonable risks.

The EPA has received a number of comments on legacy uses of asbestos such as older materials, like insulation and tiles, that still remain in buildings years after manufacturers stopped using asbestos to make those materials. Intact asbestos building materials that are not releasing fibers are not likely to pose a risk. When asbestos is to be disturbed, there are laws and programs in place for the safe removal and disposal of asbestos-containing building materials. EPA’s webpages provide good advice for those with questions about asbestos in building materials. These existing programs, together with the new efforts we have initiated under our TSCA authorities, will give us a better understanding of where risks from asbestos exposure still exist, so that we can apply the most effective and protective approaches to address them.

#### **Information on EPA’s actions taken on asbestos:**

EPA is committed to protecting the public from asbestos exposures. Before the Frank R. Lautenberg Safety for the 21<sup>st</sup> Century Act, EPA lacked a comprehensive program to evaluate the risk of existing chemicals, or chemicals already on the market such as asbestos. After the law was passed on June 22, 2016, EPA took swift actions on asbestos, including:

- In December 2016, selecting asbestos as one of first 10 chemicals to undergo a risk evaluation under the new act, triggering a statutory deadline to complete risk evaluation within three years;
- In June 2017, releasing the asbestos scope documents to present the scope of the risk evaluation, and in June 2018, releasing the problem formulation to refine the scope of the risk evaluation; and

- In June 2018, to complement the risk evaluation of asbestos, proposing a Significant New Use Rule (SNUR) to prohibit immediately currently unregulated, former uses of asbestos. The SNUR would ban uses of asbestos that could otherwise re-enter the market. Before this rule is finalized, nothing prohibits someone from reviving these former uses.

The draft risk evaluation for asbestos is under development and is anticipated to be published for public comment and peer review later this year. If the final evaluation finds that any use within the scope of the risk evaluation present an unreasonable risk, EPA will take action to eliminate the unreasonable risk. [Read about the process and considerations for the risk evaluations.](#) EPA's actions can include prohibiting, restricting, or limiting the amount of a substance that can be manufacturing, processing, or distribution, imposing labeling requirements, or imposing record keeping requirements.

EPA has worked with advocacy groups, other stakeholders, including federal partners, like NIOSH, to inform the agency's risk evaluations, which will address human health and environmental issues related to asbestos and other chemicals. EPA relies on information from studies from academia, non-profits and industry, among others. The process used by Agency to gather information is discussed in detail in the "Strategy for Conducting Literature Searches for Asbestos: Supplemental Document to the TSCA Scope Document",

see [https://www.epa.gov/sites/production/files/2017-06/documents/asbestos\\_lit\\_search\\_strategy\\_053017.pdf](https://www.epa.gov/sites/production/files/2017-06/documents/asbestos_lit_search_strategy_053017.pdf).

### **3. The EPA is demonstrating a unilateral approach to determining what qualifies as a "condition of use" for chemicals that fall under TSCA. Is the agency subverting the will of Congress?**

Congress defined "Conditions of use" under TSCA as "the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used or disposed of." During the risk evaluation scoping process, EPA may decide to further narrow the scope of its review and remove those conditions of use that present low risk. The statute gives discretion to the Administrator, both within the definition of conditions of use, and during the scoping process to focus on the uses that are of greatest concern.

### **5. The recent overhaul of the TSCA legislation was one of the few bipartisan victories in Congress in recent memory. The idea was to fix the nation's chemical safety laws. But isn't the EPA is failing to implement the new law as Congress intended.**

EPA has made tremendous progress implementing the new TSCA provisions and is delivering results and meeting the statutory responsibilities of the new law while focusing on being:

- 1) consistent with the TSCA statutory requirements,
- 2) transparent in our actions,
- 3) relying on the best available science, and
- 4) increasing public confidence in chemical safety.

### **6. The EPA defines "asbestos" as six specific fiber types - chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonite-grunerite), anthophyllite, tremolite or actinolite. But scientists say there are many more naturally occurring fibers that have nearly identical properties and toxicity. Isn't it appropriate for the EPA to take redefine exactly what "asbestos" is?**

Asbestos is a commercial and legal term referring to a class of minerals that naturally form long, thin, very strong fibers. Congress, in the Asbestos Hazard Emergency Response Act (AHERA) (Title II to the Toxic Substance Control Act) defined asbestos as the "asbestiform varieties of six fiber types – chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonite-grunerite), anthophyllite, tremolite or actinolite." EPA believes it is appropriate for the purposes of the current asbestos activities such as the risk evaluation under TSCA section 6 to use this definition of asbestos.

7. **Scientists in Nevada have discovered troubling natural incidents of asbestos fibers that were previously unknown as they were not dense enough to be mined. But they do pose a threat to human health. What, if anything, should the EPA be doing about this Sort of exposure?**

EPA is working with BLM and the State of Nevada to better understand the exposures to NOA.

9. **Many would suggest asbestos is the “poster child” for the ineffectiveness of federal environmental regulations. The toxicity and danger the chemical has been known for many decades and yet asbestos is not banned in the United States. Why not?**

In 1989, EPA attempted to ban most asbestos-containing products by issuing a final rule under Section 6 of TSCA. However, most of the original ban was vacated and remanded to EPA in 1991 by the Fifth Circuit Court of Appeals. As a result, the remaining partial 1989 asbestos ban only prohibits five asbestos-containing products no longer in use at the time of the ban (corrugated paper, rollboard, commercial paper, specialty paper, and flooring felt) and all new uses initiated for the first time after August 25, 1989.

As previously stated, EPA is currently conducting a risk evaluation for asbestos under TSCA section 6 and plans to complete that risk evaluation in late 2019. If unreasonable risk is found for the evaluated asbestos conditions of use, the Agency will proceed to risk management.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

From: Will T <Ex. 6 Personal Privacy (PP)>  
Sent: Wednesday, March 13, 2019 11:27 AM  
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Miles O'Brien <miles@milesobrien.com>  
Subject: Re: PBS NewsHour Asbestos

Thanks for the update yesterday, Robert

We are close to shipping out our segment, please send any responses if you have them.

On Tue, Mar 12, 2019 at 9:53 AM Will T <Ex. 6 Personal Privacy (PP)> wrote:

Great, thank you

On Mar 12, 2019, at 9:53 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good morning Will,

We are, in fact, shooting for responses today. I'll let you know if anything changes.

Cheers, R.

Robert Daguillard

Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Will T <Ex. 6 Personal Privacy (PP)>  
**Sent:** Tuesday, March 12, 2019 9:52 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Miles O'Brien <miles@milesobrien.com>  
**Subject:** Re: PBS NewsHour Asbestos

Good morning, Robert

Were you able to get any responses to our questions?

We are finishing our segment today and would like to include EPA comments.

Thank you for your help,

Will Toubman  
Miles O'Brien Productions  
917-301-5914

On Fri, Mar 8, 2019 at 4:55 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

OK, Will. Thanks for clarifying.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Ex. 6 Personal Privacy (PP)  
**Sent:** Friday, March 08, 2019 4:54 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: PBS NewsHour Asbestos

Hi Robert

I thought we only sent the questions to your office. That is #7. Either way, yes Tuesday would be the last day. If possible, Monday would give us more time to work in the response.

Thank you for working on this,

Will

Sent from my iPhone



On Mar 8, 2019, at 4:39 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Will,

Looks like you've sent an additional question to some of our offices.

***Scientists in Nevada have discovered troubling natural incidents of asbestos fibers that were previously unknown as they were not dense enough to be mined. But they do pose a threat to human health. What, if anything, should the EPA be doing about this sort of exposure?***

If indeed the question came from you, would it be OK for us to send you a response at the same time as that we are preparing for your other questions, due this coming Tuesday, 12 March? Please advise.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP) (M)**

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**From:** Will T <**Ex. 6 Personal Privacy (PP)**>  
**Sent:** Thursday, March 07, 2019 11:08 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: PBS NewsHour Asbestos

Yes, I am sorry.

We would like to air this on Wednesday. So next Tuesday if possible.

Thank you,  
Will

On Mar 7, 2019, at 11:05 AM, Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Will.

And for #2, that's "**\*keep\*** adhering," correct?

Also: When would you need a response from us?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency

Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Will T <Ex. 6 Personal Privacy (PP)>  
**Sent:** Thursday, March 07, 2019 10:44 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: PBS NewsHour Asbestos

For Number 4: Nancy "Beck" - please excuse the typo

On Thu, Mar 7, 2019 at 10:32 AM Will T <Ex. 6 Personal Privacy (PP)>  
wrote:

Good morning, Robert

I apologize for the delay. Our segment about asbestos was pushed back a few weeks but should air next week. Please take a look at the following questions.

If you prefer to have someone on camera answering these questions rather than a written response, we'd be happy to get a camera crew out to you.

1. Under the Obama administration, the EPA had a broader interpretation of the "conditions of use" of chemicals that are considered for regulation under TSCA. the Trump administration has a Much more narrow view. Specifically, the definition now excludes "legacy" applications — past uses of the chemical that had been discontinued. In the case of asbestos, these legacy applications have a potentially huge impact on American citizens. There is asbestos insulation and building materials in about 35 million homes, for example. It also means that exposure comes from the improper disposal of chemicals that leads to contamination of drinking water for example, will not be a factor in any decision on restricting them.
2. How can the EPA beef adhering to the statutory obligations under TSCA and yet ignore this huge potential source of exposure to asbestos?
3. The EPA is demonstrating a unilateral approach to determining what qualifies as a "condition of use" for chemicals that fall under TSCA. Is the agency subverting the will of Congress?
4. The Trump administration appointee in charge of the EPA's toxic chemical unit, Nancy back, previously worked as an executive at the American Chemistry Council — one of the leading lobbying groups for the chemical industry. The EPA's abrupt change of course in drafting the framework rules occurred after Ms. Beck's appointment.. Explain how this is not a conflict of interest?
5. The recent overhaul of the TSCA legislation was one of the few bipartisan victories in Congress in recent memory. The idea was to fix the nation's chemical safety laws. But isn't the EPA is failing to implement the new law as Congress intended.
6. The EPA defines "asbestos" as six specific fiber types - chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonite-grunerite), anthophyllite, tremolite or actinolite. But scientists say there are many more naturally occurring fibers that have nearly identical properties and toxicity. Isn't it appropriate for the EPA to take redefine exactly what "asbestos" is?

7. Scientists in Nevada have discovered troubling natural incidents of asbestos fibers that were previously unknown as they were not dense enough to be mined. But they do pose a threat to human health. What, if anything, should the EPA be doing about this Sort of exposure?

8. Scientists also say there is no safe amount of exposure to asbestos. And yet there are regulations of the books that describe a 1% threshold. Where does that number come from? Other any scientific studies to inform that percentage or is it arbitrary?

9. Many would suggest asbestos is the "poster child" for the ineffectiveness of federal environmental regulations. The toxicity and danger the chemical has been known for many decades and yet asbestos is not banned in the United States. Why not?

Thank you again for the help,

Will Toubman  
Miles O'Brien Productions  
917-301-5914

On Fri, Feb 22, 2019 at 1:43 PM Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Will.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

**From:** Will T <**Ex. 6 Personal Privacy (PP)**>  
**Sent:** Friday, February 22, 2019 1:40 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: PBS NewsHour Asbestos

Sorry for the delay, Robert  
Our piece got pushed back a little. We'll try to get back to you early next week.

On Thu, Feb 21, 2019 at 10:26 AM Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Will,

Are you still planning on sending us an updated set of questions?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency

Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, February 12, 2019 2:39 PM  
**To:** Will T <Ex. 6 Personal Privacy (PP) >  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: PBS NewsHour Asbestos

Will, a quick follow-up: Do you mind updating your questions as needed? Thanks in advance.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Daguillard, Robert  
**Sent:** Monday, February 11, 2019 11:01 AM  
**To:** Will T <Ex. 6 Personal Privacy (PP) >  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: PBS NewsHour Asbestos

Hullo Will,

Let me see what I can find out for you. What's your timetable, please?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Will T <Ex. 6 Personal Privacy (PP) >  
**Sent:** Monday, February 11, 2019 10:59 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: PBS NewsHour Asbestos

Hi Robert,

Our piece was delayed - by a lot. I'm wondering if there is any update on this. And if you know of anyone at EPA who would talk on camera?

Most the questions above have not changed, but could update list if needed.

On Wed, Aug 29, 2018 at 4:18 PM Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Hey Will,

EPA and the U.S. Department of Justice are reviewing. Please refer to the court order, issued on August 22, 2018, for clarification on the 60-day period. – **EPA Spokesperson**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Will T [mailto:[Will.T@epa.gov](mailto:Will.T@epa.gov)] Ex. 6 Personal Privacy (PP)  
**Sent:** Thursday, February 22, 2018 2:22 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: PBS NewsHour Asbestos

Sorry for the delay, Robert

Much of these questions are written before we've had a chance to complete our interviews. I hope we have a chance to send additional questions once we get closer to our air date (should be late March/Early April). Thank you for reading these. We would love if someone from the EPA familiar with asbestos could talk to us on camera with our correspondent [Miles O'Brien](#).

---

Talk us through the TSCA process, it is a complicated one.

At the moment there are only 6 different specific minerals defined as "asbestos" but there are many other similar minerals, including the Libby amphiboles which pose health risks. Will any part of the current TSCA process look at those additional minerals? Why were those excluded?

Recent news of new cases where asbestos has been found as a contaminant in consumer products raises public fears. Is there any way for the TSCA process address these kinds of concerns?

Asbestos is used in the chlor-alkali industry as part of the chemical making process. What guidelines does the EPA use to ensure the workers handling the asbestos are safe?

How does the EPA recommend disposing asbestos?

We have read there is new research showing that in the right conditions asbestos has the ability move through soil easier then previously thought. Is the EPA looking into this?

We have talked to researchers who discovered natural occurring asbestos in Nevada (going back to 2015), it has been found around a school, homes, and there are people using recreation vehicles in the known areas of naturally occurring asbestos. When would the EPA get involved with a situation like this? Does the state have to call it in?

Can you walk us through a case where naturally occurring asbestos was found and the EPA was called in to manage it?

Generally - looking for someone to talk about the history of EPA and Asbestos. I understand asbestos was actually banned at one point and ultimately the industry sued and the ban was overturned.

Thank you again,

Will Toubman  
Miles O'Brien Productions  
917-301-5914

On Wed, Feb 21, 2018 at 4:50 PM, Will T <Ex. 6 Personal Privacy (PP)> wrote:

Sorry, Robert

Got caught up with a deadline. Will get those out tomorrow.

Have a good evening.

Will

On Wed, Feb 21, 2018 at 7:38 AM, Daguiard, Robert  
<Daguiard.Robert@epa.gov> wrote:

Fantastic. Thanks, Will.

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
<Ex. 6 Personal Privacy (PP)> (M)  
202-564-6618 (O)

On Feb 20, 2018, at 6:21 PM, Will T <Ex. 6 Personal Privacy (PP)> wrote:

Thank you for the follow up, Robert

We are still working on the segment about asbestos. I thought it would best to get in touch with you after our other interviews, but if there 's a chance we can interview someone at the EPA I'll start putting together some questions now.

I'll try to send questions over tomorrow afternoon.

Thank you,

Will Toubman  
Miles O'Brien Productions  
917-301-5914

On Tue, Feb 20, 2018 at 8:53 AM, Daguiard,  
Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Good afternoon Will,

A quick follow-up to your conversation with  
Enesta late last month: Do you still need  
information from EPA on TSCA and asbestos?  
Do you have some specific questions you  
could send? That, if anything, would help us  
determine who best to put you in touch with,  
and if an interview is possible.

Thanks, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Will Toubman  
[mailto:[will@mobprod.com](mailto:will@mobprod.com)]  
**Sent:** Wednesday, January 24, 2018 11:24 AM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Daguiard, Robert  
<[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** Re: PBS NewsHour Asbestos

Thank you, Enesta

I do not have specific questions quite  
yet. Maybe it'll be best to touch base with  
you after we interview other people so the  
EPA can respond.

Unless you think there is a chance we can  
have an on-camera expert from the EPA to  
discuss asbestos dangers, how to handle  
safely, the history, and TSCA procedures.

Thank you again,

Will

On Tue, Jan 23, 2018 at 4:48 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Thanks for the additional info, Will.

What are the specific questions you have of the agency re TSCA and asbestos?

On Jan 23, 2018, at 4:47 PM, Will Toubman <[will@mobprod.com](mailto:will@mobprod.com)> wrote:

Thank you for the quick response.

There is no hard deadline - I'd say over the next month would be great. If I had to guess, I'd say it would air in March. We have been meaning to do a story about asbestos for a while, and the new TSCA review peaked our interest.

We are speaking to other people, but have not interviewed anyone yet.

Thanks again for the help,  
Will

On Tue, Jan 23, 2018 at 4:15 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Will, thanks for reaching out. We can look into an on-cam, but in case that's not feasible, can you please provide specific questions that we can respond to in writing – as well as your firm deadline? Also, anything in particular peaking your interest now in this subject? Are you speaking to anyone else for the piece? When is the story slated to air?

Robert Daguillard will pick this up when he returns tomorrow. I am getting the ball rolling today for him.

Thanks,  
Enesta

**From:** Will Toubman  
[mailto:[will@mobprod.com](mailto:will@mobprod.com)]  
**Sent:** Tuesday, January 23, 2018 3:47 PM  
**To:** Courtnage, Robert  
<[Courtnage.Robert@EPA.GOV](mailto:Courtnage.Robert@EPA.GOV)>  
**Subject:** PBS NewsHour Asbestos



Good afternoon,

We are producing a segment about asbestos and new TSCA. I am wondering if there is an asbestos expert at the EPA who may be willing discuss on camera the history of asbestos, the dangers, and the review process it is going through. I think many are surprised it is not completely banned, and would be interested in the uses that may still hold value if handled safely.

Thank you for your consideration. Happy to have an off the record conversation sometime.

Will Toubman  
Miles O'Brien Productions  
917-301-5914

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/12/2019 9:14:23 PM  
**To:** Sue Wood [sue.wood@patch.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Subject: Cargill ponds

Sue, for attribution to “an EPA Spokesperson,” please:

On March 1, 2019, EPA finalized its jurisdictional determination regarding the Redwood City Salt Plant site in California by making a determination that the site is not jurisdictional under the Clean Water Act. Because this jurisdictional determination had previously been determined to be a "Special Case" in 2015 and the authority to make the determination had been reserved to EPA, the agency wrote to the Department of the Army notifying them of the determination.

As background, DMB Pacific Ventures, LLC and Cargill have proposed to build a housing project (known as “Saltworks”) on a 1,400-acre diked area on the Redwood City shoreline in the south San Francisco Bay area. The site was tidal marsh prior beginning conversion to a salt plant in 1901. The property is owned by Cargill, which operates a salt-making facility on the site. In 2012, Saltworks requested an approved jurisdictional determination (AJD) from the U.S. Army Corps of Engineers (Corps) under the Clean Water Act (CWA) and Rivers and Harbors Act (RHA). In March 2015, the Corps issued an AJD concluding that only a small portion of the Saltworks site is regulated under the RHA. In March 2015, EPA announced that it was exercising its “special case” authority to make the jurisdictional determination under the CWA.

In making its determination EPA relied on the agency's and the Corps’ long-recognized legal interpretation that CWA jurisdiction does not apply to waters that were legally converted to dry land (i.e., “fast land”) by permit or prior to the passage of the CWA. After careful legal consideration and review, EPA has found that the Redwood City Salt Plant site does not include “waters of the United States” because the site was converted to fast land long before the CWA was enacted.

Learn more:

<https://www.epa.gov/cwa-404/2019-redwood-city-salt-plant-jurisdictional-determination>

**Robert Daguillard**  
**Office of Media Relations**  
**U.S. Environmental Protection Agency**  
**Washington, DC**  
**+1 (202) 564-6618 (O)**  
**Ex. 6 Personal Privacy (PP) (M)**

On Mar 12, 2019, at 4:22 PM, Sue Wood <[sue.wood@patch.com](mailto:sue.wood@patch.com)> wrote:

Yes.

On Tue, Mar 12, 2019 at 1:21 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon and thanks for reaching out,

Are you on deadline and writing a story on this topic?

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Sue Wood <[sue.wood@patch.com](mailto:sue.wood@patch.com)>

**Sent:** Tuesday, March 12, 2019 10:06 AM

**To:** Zito, Kelly <[ZITO.KELLY@EPA.GOV](mailto:ZITO.KELLY@EPA.GOV)>

**Subject:** Cargill ponds

Hi Kelly,

My territory as a [Patch.com](http://Patch.com) field editor is the Silicon Valley involving Redwood City. How in the world can the feds classify Cargill Ponds as not a waterway subject to the Clean Water Act?

Thanks,

Sue Wood, [Patch.com](http://Patch.com)

Silicon Valley field editor

Message

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**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 12/15/2017 3:44:59 PM  
**To:** Jackie Toth [jackieto@cqrollcall.com]  
**Subject:** RE: Press re: Carper, Whitehouse concerns over consent decree directive

Jackie—

For attribution to “an EPA spokesperson:”

EPA will review the letter and respond as appropriate.

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

**From:** Jackie Toth [mailto:jackieto@cqrollcall.com]  
**Sent:** Friday, December 15, 2017 10:35 AM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Press re: Carper, Whitehouse concerns over consent decree directive

Hi Tricia & team,

We pushed this story back to run today around 4pm to give the EPA more time to respond. Can the EPA comment?

Thanks much,  
Jackie

---

Jackie Toth  
CQ Legal  
Energy & Environment Reporter/Analyst  
O: 202-650-6518  
C: Ex. 6 Personal Privacy (PP)  
@JackieTothDC

On 14 December 2017 at 15:18, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Thank you. We'll do what we can.

---

**From:** Jackie Toth <[jackietoht@cqrollcall.com](mailto:jackietoht@cqrollcall.com)>  
**Sent:** Thursday, December 14, 2017 3:12:02 PM  
**To:** Lynn, Tricia  
**Subject:** Re: Press re: Carper, Whitehouse concerns over consent decree directive

Hi Tricia,

Thanks much. Links here -

Release: <https://www.whitehouse.senate.gov/news/release/whitehouse-carper-raise-alarm-over-epa-settlement-directive>  
Letter: <https://www.whitehouse.senate.gov/imo/media/doc/12-13-17%20Letter%20to%20EPA.pdf>

-----  
Jackie Toth  
CQ Legal  
Energy & Environment Reporter/Analyst  
O: 202-650-6518  
C: Ex. 6 Personal Privacy (PP)  
@JackieTothDC

On 14 December 2017 at 15:09, Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Jackie--

Do you have a copy of the letter?

Thanks so much,

Tricia

-----  
**From:** Jackie Toth <[jackietoht@cqrollcall.com](mailto:jackietoht@cqrollcall.com)>  
**Sent:** Thursday, December 14, 2017 2:51:48 PM  
**To:** Press  
**Cc:** Wilcox, Jahan; Abboud, Michael  
**Subject:** Press re: Carper, Whitehouse concerns over consent decree directive

Hi all,

Can the EPA comment on Carper and Whitehouse's Wednesday letter expressing concern over the 'Directive Promoting Transparency and Public Participation in Consent Decrees and Settlement Agreements'? Are the senators correct that the policy may result in delays and greater costs if EPA addresses more lawsuits through litigation and not consent orders?

Deadline for this is no later than 4:15pm today.

Thanks much,  
Jackie

-----  
Jackie Toth  
CQ Legal

Energy & Environment Reporter/Analyst

O: 202-650-6518

C: Ex. 6 Personal Privacy (PP)

@JackieTothDC

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Message

---

**From:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Sent:** 12/14/2017 11:25:47 PM  
**CC:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** Re: Potential repeal of control techniques guidelines for existing oil and gas facilities

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Dec 14, 2017, at 5:54 PM, Sean Reilly <sreilly@eenews.net> wrote:

Why not?

---

**From:** Jones, Enesta [mailto:Jones.Enesta@epa.gov]  
**Sent:** Thursday, December 14, 2017 5:53 PM  
**To:** Sean Reilly <sreilly@eenews.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

"EPA spokesperson." No name.

---

**From:** Sean Reilly [mailto:sreilly@eenews.net]  
**Sent:** Thursday, December 14, 2017 5:51 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

I meant by name.

---

**From:** Jones, Enesta [mailto:Jones.Enesta@epa.gov]  
**Sent:** Thursday, December 14, 2017 5:50 PM  
**To:** Sean Reilly <sreilly@eenews.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

It's attributable to an "EPA spokesperson," Sean.

---

**From:** Sean Reilly [mailto:sreilly@eenews.net]  
**Sent:** Thursday, December 14, 2017 5:45 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Got it, Enesta. As noted, I need to have this on-the-record; please me know whom I can attribute it to.

Sean

---

**From:** Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]  
**Sent:** Thursday, December 14, 2017 5:43 PM  
**To:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Sean, for attribution to an EPA spokesperson:

EPA has not yet issued a notice regarding this action; when we do, we will make that available for public review and comment.

---

**From:** Sean Reilly [<mailto:sreilly@eenews.net>]  
**Sent:** Thursday, December 14, 2017 5:22 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Potential repeal of control techniques guidelines for existing oil and gas facilities

Hi folks:

I'll be following on this item referenced in the semi-annual agenda released today:  
<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201710&RIN=2060-AT76>. Do you have any on-the-record explanation for why EPA is considering repeal of these guidelines? My deadline is 11:30 tomorrow morning.

Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP)

 (Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

**E&E NEWS**  
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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM



Message

---

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 12/14/2017 11:25:00 PM  
**To:** Press [Press@epa.gov]  
**Subject:** Re: Potential repeal of control techniques guidelines for existing oil and gas facilities

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Dec 14, 2017, at 5:54 PM, Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)> wrote:

Why not?

---

**From:** Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]  
**Sent:** Thursday, December 14, 2017 5:53 PM  
**To:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

"EPA spokesperson." No name.

---

**From:** Sean Reilly [<mailto:sreilly@eenews.net>]  
**Sent:** Thursday, December 14, 2017 5:51 PM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

I meant by name.

---

**From:** Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]  
**Sent:** Thursday, December 14, 2017 5:50 PM  
**To:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

It's attributable to an "EPA spokesperson," Sean.

---

**From:** Sean Reilly [<mailto:sreilly@eenews.net>]  
**Sent:** Thursday, December 14, 2017 5:45 PM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Got it, Enesta. As noted, I need to have this on-the-record; please me know whom I can attribute it to.

Sean

---

**From:** Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]  
**Sent:** Thursday, December 14, 2017 5:43 PM  
**To:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Sean, for attribution to an EPA spokesperson:

EPA has not yet issued a notice regarding this action; when we do, we will make that available for public review and comment.

---

**From:** Sean Reilly [<mailto:sreilly@eenews.net>]  
**Sent:** Thursday, December 14, 2017 5:22 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Potential repeal of control techniques guidelines for existing oil and gas facilities

Hi folks:

I'll be following on this item referenced in the semi-annual agenda released today:  
<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201710&RIN=2060-AT76>. Do you have any on-the-record explanation for why EPA is considering repeal of these guidelines? My deadline is 11:30 tomorrow morning.

Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP)

 (Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

Message

---

**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 12/14/2017 10:46:38 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**Subject:** Fwd: Potential repeal of control techniques guidelines for existing oil and gas facilities

See. Grrr.

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** Sean Reilly <sreilly@eenews.net>  
**Date:** December 14, 2017 at 5:45:15 PM EST  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Got it, Enesta. As noted, I need to have this on-the-record; please me know whom I can attribute it to.

Sean

---

**From:** Jones, Enesta [mailto:Jones.Enesta@epa.gov]  
**Sent:** Thursday, December 14, 2017 5:43 PM  
**To:** Sean Reilly <sreilly@eenews.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Sean, for attribution to an EPA spokesperson:

EPA has not yet issued a notice regarding this action; when we do, we will make that available for public review and comment.

---

**From:** Sean Reilly [mailto:sreilly@eenews.net]  
**Sent:** Thursday, December 14, 2017 5:22 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Potential repeal of control techniques guidelines for existing oil and gas facilities

Hi folks:

I'll be following on this item referenced in the semi-annual agenda released today:

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201710&RIN=2060-AT76>. Do you have any on-the-record explanation for why EPA is considering repeal of these guidelines?

My deadline is 11:30 tomorrow morning.

Sean

Sean Reilly

Reporter

E&E News

202-446-0433 (Desk)

Ex. 6 Personal Privacy (PP) Cell)

[sreilly@eenews.net](mailto:sreilly@eenews.net)

Twitter: @SeanatGreenwire

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/14/2017 8:04:59 PM  
**To:** Press [Press@epa.gov]  
**Subject:** FW: FW: Comment for Monday article on pyrethroids

I'll ask the program if [Ex. 5 Deliberative Process (DP)]  
[Ex. 5 Deliberative Process (DP)] The reporter says she's writing for Prevention Magazine and her deadline is Tuesday.

**From:** Rene Ebersole [mailto:[Ex. 6 Personal Privacy (PP)]]  
**Sent:** Thursday, December 14, 2017 2:25 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: FW: Comment for Monday article on pyrethroids

Hi Robert,  
Thanks for your comment about pyrethroids. I'm working on another story about glyphosate, this time for Prevention. Can you please provide the latest statement on glyphosate? Basically the same type of info that you sent on pyrethroids?

Also, if possible, a quick explanation of why the EPA's previous determinations about the carcinogenicity of glyphosate vary from IARC's. Your agency considers different types of data, correct?

Thanks for getting back to me. Unfortunately, the pyrethroid story was published before I heard from you. I'd really like to have some input from the EPA for this Prevention article.

Best,  
Rene

----- Forwarded message -----

**From:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Date:** Mon, Nov 27, 2017 at 10:46 AM  
**Subject:** FW: Comment for Monday article on pyrethroids  
**To:** Rene Ebersole <[Ex. 6 Personal Privacy (PP)]>  
**Cc:** Press <Press@epa.gov>

Rene, with apologies for the late response, and for attribution to "an EPA spokesperson," please:

EPA is considering the EWG and other comments that were submitted on EPA's draft human health risk assessments as part of the open comment period for certain pyrethrins and pyrethroids. The pyrethroid class of pesticides is currently being re-evaluated as part of the ongoing registration review program. The comment period closed on November 13, 2017 (see docket EPA-HQ-OPP-2011-0039-0083 at [www.regulations.gov](http://www.regulations.gov)). EPA is currently assessing the comments received and will determine whether any risk management is needed. Over the course of 2018, the agency expects to release the remaining draft pyrethroid human health risk assessments for public comment. More information about the status of the pyrethroid re-evaluation can be found at: <https://www.epa.gov/ingredients-used-pesticide-products/pyrethrins-and-pyrethroids#reg%20review>.

Very best, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

Rene Ebersole

Science Journalist/Contributing Editor *Audubon* magazine

Adj. Professor of Journalism, New York University

[reenebersole.com/](http://reenebersole.com/) @rebersole

Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/14/2017 5:35:50 PM  
**To:** David LaRoss [dlaross@iwpnews.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Enforcement initiations

David, for attribution to "an EPA spokesperson," please, but we'll be referring you to the U.S. Department of Justice for comment.

Thanks, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Daguillard, Robert  
**Sent:** Thursday, December 14, 2017 9:42 AM  
**To:** 'David LaRoss' <dlaross@iwpnews.com>  
**Cc:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** RE: Enforcement initiations

Hullo David,

We're on it.

Regards, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** David LaRoss [<mailto:dlaross@iwpnews.com>]  
**Sent:** Wednesday, December 13, 2017 5:32 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Enforcement initiations

I'm working on a story about EPA enforcement activities for *Inside EPA*, and am looking for figures on the number of new cases that EPA has referred to the Department of Justice since the current administration took office. Can you provide that?

Looking for an answer by close of business Thursday if possible.

--

David LaRoss  
Inside EPA  
(703) 416-8536



Message

---

**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 3/11/2019 8:23:05 PM  
**To:** Neuhauser, Alan [ANeuhauser@usnews.com]; Press [Press@epa.gov]  
**Subject:** RE: Interview Request for Susan Bodine: Criminal Enforcement at EPA

Hullo again Alan,

For attribution to “an EPA Spokesperson,” please:

**At the hearing last week, Asst. Administrator Bodine testified that the EPA doesn't have an ongoing obligation to maintain 200 agents in the Criminal Investigations Division. What is the basis for this reasoning?**

Response: As Assistant Administrator Bodine testified, the Pollution Prosecution Act of 1990 directed EPA to assign not less than 200 criminal investigators to the Agency's Office of Criminal Investigations by October 1, 1995. EPA met this requirement in 1995. EPA does not interpret this direction as an ongoing staffing requirement.

**Asst. Administrator Bodine also testified that she's aiming to bring the total number of investigators in CID to 164. Why that number?**

Response: This number reflects the enforcement program's current budget and balance of programmatic needs.

**The number of criminal cases opened in FY 2018 reached the second-lowest point in 25 years, behind FYI 2017. Why were so few cases opened in 2017 and 2018?**

Response: The Administration has reemphasized the criminal program. As shown in EPA's annual enforcement results, in FY 2018 the number of new criminal cases opened increased for the first time since 2011.

**Where has state enforcement been effective in lieu of federal environmental criminal enforcement?**

Response: EPA directly implements the criminal enforcement program, but often receives leads from state criminal enforcement task forces. Most states do not have their own environmental criminal enforcement staff.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguillard, Robert  
**Sent:** Monday, March 11, 2019 3:43 PM  
**To:** 'Neuhauser, Alan' <ANeuhauser@usnews.com>; Press <Press@epa.gov>  
**Subject:** RE: Interview Request for Susan Bodine: Criminal Enforcement at EPA

Good afternoon Alan,

I thought it courteous to follow up on your interview request. I've asked Susan Bodine's office where things stand. Right now, it looks as though we'll be getting back to you in writing. Just thought I'd let you know.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Neuhauser, Alan <ANeuhauser@usnews.com>  
**Sent:** Thursday, March 07, 2019 2:11 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** Re: Interview Request for Susan Bodine: Criminal Enforcement at EPA

Hi Robert, just following up on this. Does Asst. Administrator Bodine have time Monday or Tuesday?

Thanks,

Alan

--  
Alan Neuhauser  
Reporter | U.S. News & World Report  
[aneuhauser@usnews.com](mailto:aneuhauser@usnews.com) | @alneuhauser  
Office: 202-955-2185

---

**From:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Sent:** Wednesday, March 6, 2019 12:55:24 PM  
**To:** Neuhauser, Alan; Press  
**Subject:** RE: Interview Request for Susan Bodine: Criminal Enforcement at EPA

Let me ask. No promises, but I'll find out.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Neuhauser, Alan <ANeuhauser@usnews.com>  
**Sent:** Wednesday, March 06, 2019 12:54 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Interview Request for Susan Bodine: Criminal Enforcement at EPA

Hi Robert, any chance she has a window Monday or Tuesday?

--

Alan Neuhauser  
Reporter | U.S. News & World Report  
[aneuhauser@usnews.com](mailto:aneuhauser@usnews.com) | @alneuhauser  
Office: 202-955-2185

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Wednesday, March 6, 2019 12:53:19 PM  
**To:** Neuhauser, Alan; Press  
**Subject:** RE: Interview Request for Susan Bodine: Criminal Enforcement at EPA

Good afternoon Alan,

A quick update: As we feared, the window ultimately proved too tight for Susan Bodine, so that she won't be able to offer a time slot for an interview.

But we'll work on getting you written answers by close of business Friday. I hope that works. Please advise.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Neuhauser, Alan <[ANeuhauser@usnews.com](mailto:ANeuhauser@usnews.com)>  
**Sent:** Tuesday, March 05, 2019 4:06 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Interview Request for Susan Bodine: Criminal Enforcement at EPA

Hi Robert, understood. Here's what we're interested in:

At the hearing last week, Asst. Administrator Bodine testified that the EPA doesn't have an ongoing obligation to maintain 200 agents in the Criminal Investigations Division. What is the basis for this reasoning?

Asst. Administrator Bodine also testified that she's aiming to bring the total number of investigators in CID to 164. Why that number?

The number of criminal cases opened in FY 2018 reached the second-lowest point in 25 years, behind FYI 2017. Why were so few cases opened in 2017 and 2018?

Where has state enforcement been effective in lieu of federal environmental criminal enforcement?

Thanks,

Alan

--

Alan Neuhauser  
Reporter | U.S. News & World Report  
[aneuhauser@usnews.com](mailto:aneuhauser@usnews.com) | @alneuhauser  
Office: 202-955-2185

---

**From:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Sent:** Tuesday, March 5, 2019 3:28 PM  
**To:** Neuhauser, Alan; Press  
**Subject:** RE: Interview Request for Susan Bodine: Criminal Enforcement at EPA

Alan, sorry to keep coming back to this, but: Can you give us anything more specific in terms of questions?

I mean, yes, I understand you want to talk about CID numbers, and enforcement. But I'm asking, so Susan can, in fact - **\*if\*** she is able to do an interview, give you the best and latest info.

And yes, obviously, it's a tight window. But I'd appreciate all you can tell me at this stage so I can see if we can make this happen. Thanks for your understanding.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Neuhauser, Alan <[ANeuhauser@usnews.com](mailto:ANeuhauser@usnews.com)>  
**Sent:** Tuesday, March 05, 2019 2:54 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Interview Request for Susan Bodine: Criminal Enforcement at EPA

Hi Robert,

Thanks for the quick reply. I got pulled into a couple stories last night and this morning; circling back to this now. We were hoping to post the story Friday. I know that that's a rather tight window; any chance Asst. Administrator Bodine has some time in the next couple days?

The questions concern staffing levels in CID and what sources have told us concerning enforcement priorities, etc.

Thanks very much. Let me know, too, if you'd like to touch base by phone.

Best,

Alan

--

Alan Neuhauser  
Reporter | U.S. News & World Report  
[aneuhauser@usnews.com](mailto:aneuhauser@usnews.com) | @alneuhauser  
Office: 202-955-2185

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Monday, March 4, 2019 3:37:01 PM  
**To:** Neuhauser, Alan; Press  
**Subject:** RE: Interview Request for Susan Bodine: Criminal Enforcement at EPA

Good afternoon Alan,

It's good to hear from you. Let me see if we can work something out.

Just in case, would you mind sending some specific questions as well as a deadline? More specifically, when are you planning on publishing your story?

Happy to discuss.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Neuhauser, Alan <ANeuhauser@usnews.com>

**Sent:** Monday, March 04, 2019 3:33 PM

**To:** Press <Press@epa.gov>

**Subject:** Interview Request for Susan Bodine: Criminal Enforcement at EPA

Hi all –

Alan here, energy/enviro reporter for U.S. News & World Report. I hope you're having a good start to the week.

I've been working on a story on criminal enforcement at EPA, specifically by the Criminal Investigations Division, and I'm writing to request an interview with Susan Bodine. I watched her testimony Feb. 26 before the House Energy & Commerce Committee's Subcommittee on Oversight and Investigations, and I have a few questions related to that appearance. I'd also like to provide the assistant administrator/EPA an opportunity to respond to criticism I've heard from sources.

Does Asst. Administrator Bodine have some time to meet or talk by phone this week?

Thank you very much.

Best,

Alan

--

Alan Neuhauser  
Reporter | U.S. News & World Report  
[aneuhauser@usnews.com](mailto:aneuhauser@usnews.com) | [@alneuhauser](https://twitter.com/alneuhauser)  
Office: 202-955-2185

Message

---

**From:** Pirie, Kaitlyn [Kaitlyn.Pirie@hearst.com]  
**Sent:** 3/11/2019 8:08:57 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]; Mears, Mary [Mears.Mary@epa.gov]  
**Subject:** Re: Subject: media request for Prevention

Thank you so much!

---

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** Monday, March 11, 2019 at 4:08 PM  
**To:** "Pirie, Kaitlyn" <Kaitlyn.Pirie@hearst.com>  
**Cc:** Press <Press@epa.gov>, "Mears, Mary" <Mears.Mary@epa.gov>  
**Subject:** RE: Subject: media request for Prevention

Good afternoon Kaitlyn,

For attribution to "an EPA Spokesperson," please:

**Question 1:** From what I understand, current research shows that when used properly, DEET poses no risks for human health or the environment. Is this right? Do you mind commenting on the safety of the chemical?

**Response 1:** EPA registration of skin-applied repellent products, including DEET, indicates that they have been evaluated and approved for human safety and effectiveness when applied according to instructions on the label. Our evaluation includes ensuring that the registered product does not harm vulnerable populations, including children and pregnant women. See <https://www.epa.gov/insect-repellents/regulation-skin-applied-repellents>.

In 2014, EPA completed an interim review of DEET. The agency did not identify any risks of concern to human health, non-target species or the environment. For more information see [www.regulations.gov](http://www.regulations.gov), Docket number EPA-HQ-OPP-2012-0162.

**Question 2:** How do most "natural" products compare to DEET in terms of effectiveness of keeping bugs away?

**Response 2:** Some repellent products are not required to be registered by EPA because they are "minimum risk pesticides" (<https://www.epa.gov/minimum-risk-pesticides>) that pose little to no risk to human health or the environment. EPA cannot discuss the efficacy of these unregistered products because the agency does not receive data to show that they work. (Note that EPA does not use the term "natural" or "naturally" in the labeling of any registered product, including biopesticide products. Natural does not necessarily mean safe. Some naturally occurring substances are highly toxic.)

EPA requires scientific evidence that **registered** products that make claims to control pests that are known to carry diseases, such as West Nile virus, Lyme disease, and other vector-borne public health threats are effective against the target pest(s). These registered products may contain conventional or biopesticide ingredients.

**Question 3:** Can you explain the risks of diseases that come from the insects that DEET repels and the importance of protecting yourself?

**Response 3:** EPA-registered insect repellents can help reduce the risk of mosquito and tick bites, which can transmit diseases. Diseases carried by mosquitoes include: Zika, West Nile virus, malaria, yellow fever, encephalitis (several types), dengue fever, and Chikungunya virus. Ticks carry such diseases as Lyme disease, Rocky Mountain Spotted Fever, ehrlichiosis, and encephalitis.



Each of these diseases can cause serious health problems or even death. Where these diseases are prevalent, the CDC recommends use of EPA-registered insect repellents when outdoors. Studies in EPA's database indicate that DEET repels ticks for about 2-10 hours and mosquitoes from 2-12 hours, depending on the percentage of DEET in the product.

See <https://www.epa.gov/insect-repellents/risk-disease-mosquito-and-tick-bites> for links to more information about each of these vector-borne diseases.

**Question 4:** Is there anything else on this topic you wish more people knew?

**Response 4:**

1. Insect repellents are one part of a more comprehensive program to control mosquitoes that transmit diseases such as dengue or Zika. Avoiding or preventing bites can help prevent transmission of dengue and any other vector-borne diseases. People can, for example, exclude mosquitoes from their homes by using window and door screens. Dressing in light-colored clothing, long pants, and long sleeves, avoiding areas where mosquitoes are present, and taking other actions such as removing sources of standing water to prevent breeding can also help. See <https://www.epa.gov/insect-repellents/tips-prevent-mosquito-bites> for more information.
2. EPA has a tool on its website people can use to find the right registered repellent for their needs by specifying the target insect (mosquitoes, ticks or both); protection time; active ingredient; or other product-specific information. See <https://www.epa.gov/insect-repellents/find-repellent-right-you>.
3. When using repellents, always follow label directions and safety precautions. Apply and re-apply a repellent according to the label instructions. If you don't follow the label directions, the product may not be as effective as you expect.
4. There are about many registered DEET repellents, but there are also many other EPA-registered products with different active ingredients, including:
  - IR 3535 (3-[N-Butyl-N-acetyl]-aminopropionic acid, ethyl ester)
  - Oil of Lemon Eucalyptus (chemical name: p-Menthane-3,8-diol)
  - Picaridin
  - 2-undecanone (or methyl nonyl ketone)
  - Para-menthane-diol (PMD)

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Pirie, Kaitlyn <Kaitlyn.Pirie@hearst.com>  
**Sent:** Friday, March 08, 2019 9:55 AM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>  
**Subject:** Re: Subject: media request for Prevention

Good morning and happy Friday!

I wanted to follow up to see if there's any chance you'll be able to send over answers for this story by Monday.

Thanks again,  
Kaitlyn

---

**From:** "Pirie, Kaitlyn" <[Kaitlyn.Pirie@hearst.com](mailto:Kaitlyn.Pirie@hearst.com)>  
**Date:** Friday, March 1, 2019 at 12:57 PM  
**To:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>, "Mears, Mary" <[mears.mary@epa.gov](mailto:mears.mary@epa.gov)>  
**Subject:** Re: Subject: media request for Prevention

Thank you so much for your help, Robert! I really appreciate it. Here are the questions I'm hoping to get answered by EOD Thursday (3/7):

**The myth: "Natural" bug repellents are safer than DEET.**

From what I understand, current research shows that when used properly, DEET poses no risks for human health or the environment. Is this right? Do you mind commenting on the safety of the chemical?

How do most "natural" products compare to DEET in terms of effectiveness of keeping bugs away?

Can you explain the risks of diseases that come from the insects that DEET repels and the importance of protecting yourself?

Is there anything else on this topic you wish more people knew?

Do you mind confirming your name and title as they should be printed?

---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Friday, March 1, 2019 at 12:51 PM  
**To:** "Pirie, Kaitlyn" <[Kaitlyn.Pirie@hearst.com](mailto:Kaitlyn.Pirie@hearst.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>, "Mears, Mary" <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>  
**Subject:** Subject: media request for Prevention

Good afternoon Kyrie and good to hear from you again,

Can you share your deadline and send some specific questions?

Thanks in advance, R.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

---

**From:** Pirie, Kaitlyn <[Kaitlyn.Pirie@hearst.com](mailto:Kaitlyn.Pirie@hearst.com)>  
**Sent:** Friday, March 1, 2019 10:33 AM

**To:** Mears, Mary <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>

**Subject:** media request for Prevention

Hi Mary,

I hope this email finds you well. I'm working on a story for the July issue of Prevention that I'm hoping you can help with. We'd like to address common summer myths, including "natural bug repellents are safer than DEET." Is there an expert at the EPA who is available and willing to answer a few questions via email about the safety/efficacy of DEET?

Thanks so much,  
Kaitlyn

--

Kaitlyn Pirie  
Senior Editor, Health Newsroom  
Hearst Lifestyle Group  
**PREVENTION | WOMAN'S DAY**  
**GOOD HOUSEKEEPING**  
300 West 57<sup>th</sup> Street  
New York, NY 10019  
212.649.7365

Message

---

**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 1/18/2018 8:53:50 PM  
**To:** Katherine Marchand [komarchand@sbgstv.com]  
**Subject:** FW: FOR REVIEW: NewsChannel 9 - Chattanooga. Budget/Superfund (1/18, 3 PM)

Katherine—

For attribution to “an EPA spokesperson:”

EPA’s FY 2018 budget maintains core environmental protections and regulatory obligations while focusing on the Agency’s core statutory work. As laid out in the Agency’s draft FY 2018-2022 Strategic Plan, the Administrator’s goals are designed to transform the way the Agency does business and more efficiently and effectively deliver human health and environmental results.

Administrator Pruitt has set the expectation that there will be a renewed focus on accelerating work and progress at all Superfund sites across the country.

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

---

**From:** Katherine Marchand [mailto:komarchand@sbgstv.com]  
**Sent:** Thursday, January 18, 2018 12:10 PM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** WTVN NewsChannel 9 Chattanooga Inquiry

Good afternoon,

My name is Katherine Marchand and I’m a reporter at NewsChannel 9 in Chattanooga.

The EPA recently proposed adding the Southside Chattanooga Lead Site to the Superfund Program’s National Priorities List.

Today a group is holding a press conference to protest “President Trump’s budget that aims to cut the EPA by 30%.” I’ve included the details below. How would budget cuts affect the EPA’s ability to clean up these sites?

I appreciate your help!

Sincerely,

## Katherine Marchand

Reporter

NewsChannel 9 (WTVN)

Cell: [Ex. 6 Personal Privacy (PP)]

Twitter: @KatherineNC9



**From:** Chelsea Schachle [mailto:[Ex. 6 Personal Privacy (PP)]]

**Sent:** Thursday, January 18, 2018 10:21 AM

**To:** [newstips@wrcbtv.com](mailto:newstips@wrcbtv.com); [KMcCarthy@wrcbtv.com](mailto:KMcCarthy@wrcbtv.com); [cmccollum@wrcbtv.com](mailto:cmccollum@wrcbtv.com); [pressrelease@wrcbtv.com](mailto:pressrelease@wrcbtv.com); [lmitchell@wrcbtv.com](mailto:lmitchell@wrcbtv.com); Allison Levine <[aklevine@sbgvtv.com](mailto:aklevine@sbgvtv.com)>; &Chattanooga-WTVN-Producers <[ml-newschannel9-producers@sbgvtv.com](mailto:ml-newschannel9-producers@sbgvtv.com)>; Stephanie Santostasi <[sasantostasi@sbgvtv.com](mailto:sasantostasi@sbgvtv.com)>; James Evans <[jbevans@sbgvtv.com](mailto:jbevans@sbgvtv.com)>; Heath Mosier <[hgmossier@sbgvtv.com](mailto:hgmossier@sbgvtv.com)>

**Subject:** Re: Doctor, Nurse Practitioner and Members of Community Gather At Toxic Waste Site This Afternoon

**NOTICE:** I apologize for the typo. This event is at 1 PM. - CS

On Thu, Jan 18, 2018 at 10:05 AM, Chelsea Schachle [Ex. 6 Personal Privacy (PP)] wrote:

\*\*\* MEDIA ADVISORY \*\*\*

**For Planning Purposes:** Jan. 16, 2018

Contact: Chelsea Schachle / [Ex. 6 Personal Privacy (PP)]

Phone: [Ex. 6 Personal Privacy (PP)]

### **Thursday: Chattanooga Community Leaders to address Federal EPA Budget Cuts to Toxic Cleanup Programs**

(Chattanooga, TN) -- As Congress approaches another government shutdown deadline over the federal budget this week, local leaders will gather Thursday, January 18th at 12:00pm at Jefferson Heights, recently named by the Environmental Protection Agency as 'one of the most toxic sites in America due to lead contamination', to protest President Trump's budget that aims to cut the EPA by 30 percent, hindering clean up efforts.

**What:** EPA Budget Cuts Press Conference at Jefferson Heights Park (1800 Jefferson St.)

**When:** Thursday, January 18, 2018 (1 PM ET)

#### **Who:**

- Dr. Brent Morris, M.D.  
Pediatrician, Dodson Avenue Community Health Center
- Sadie McElrath, FNP-C  
Nurse Practitioner, LifeSpring Pediatrics
- Concerned Members of Community

**Where:** Jefferson Heights Park (1800 Jefferson St.)  
Chattanooga, TN

Local leaders will address how it's important to Tennessee's business and economic prosperity to see these highly contaminated Superfund sites cleared of their harmful pollution and that cutting the EPA's budget by nearly a third worsens the local burden posed by toxic sites, threatens human health, and hurts the ability to create and grow businesses.

Local leaders will also call on Senators Lamar Alexander and Bob Corker to oppose these drastic EPA cuts that only undermine efforts to clean up harmful pollution at sites like the Southside Chattanooga Lead site, and jeopardize the well-being of our state's health and economy.

Photo credited to The Times Free Press. Click here to view original article:



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Chelsea Schachle  
Organizer - Forward Tennessee  
mobile: Ex. 6 Personal Privacy (PP) | friend: [fb.com/cschachle](https://fb.com/cschachle)

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Chelsea Schachle  
Organizer - Forward Tennessee  
mobile: Ex. 6 Personal Privacy (PP) | friend: [fb.com/cschachle](https://fb.com/cschachle)

Message

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**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 1/18/2018 8:51:09 PM  
**To:** mpace@timesfreepress.com  
**Subject:** RE: Fwd: Doctor, Nurse Practitioner and Members of Community Gather At Toxic Waste Site This Afternoon

Mark—

For attribution to “an EPA spokesperson:”

EPA’s FY 2018 budget maintains environmental protections and regulatory obligations while focusing on the Agency’s core statutory work. As laid out in the Agency’s draft FY 2018-2022 Strategic Plan, the Administrator’s goals are designed to transform the way the Agency does business and more efficiently and effectively deliver human health and environmental results.

Administrator Pruitt has set the expectation that there will be a renewed focus on accelerating work and progress at all Superfund sites across the country.

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

**From:** Mark Pace [mailto:mpace@timesfreepress.com]  
**Sent:** Thursday, January 18, 2018 10:48 AM  
**To:** McDonald, Jason <Mcdonald.Jason@epa.gov>  
**Subject:** Fwd: Doctor, Nurse Practitioner and Members of Community Gather At Toxic Waste Site This Afternoon

Hi Jason,

I will be covering this press conference today. I have a few questions for the EPA:

How could proposed budget cuts impact the EPA?  
What kind of impact could we see locally?  
Could budget cuts hurt Superfund cleanup efforts? If so, how? If not, why not?

My deadline on the story is 5 p.m.

Thanks,  
Mark

----- Forwarded message -----

From: **Chelsea Schachle** <Ex. 6 Personal Privacy (PP)>

Date: Thu, Jan 18, 2018 at 10:09 AM

Subject: Doctor, Nurse Practitioner and Members of Community Gather At Toxic Waste Site This Afternoon  
To: [news@timesfreepress.com](mailto:news@timesfreepress.com), Meg Scarbrough <[pleach@timesfreepress.com](mailto:pleach@timesfreepress.com)>, [mpare@timesfreepress.com](mailto:mpare@timesfreepress.com), [egienapp@timesfreepress.com](mailto:egienapp@timesfreepress.com), [asher@timesfreepress.com](mailto:asher@timesfreepress.com), [zpeterson@timesfreepress.com](mailto:zpeterson@timesfreepress.com), [DCook@timesfreepress.com](mailto:DCook@timesfreepress.com), [psohn@timesfreepress.com](mailto:psohn@timesfreepress.com), [ccooper@timesfreepress.com](mailto:ccooper@timesfreepress.com), [krainwater@timesfreepress.com](mailto:krainwater@timesfreepress.com), [yputnam@timesfreepress.com](mailto:yputnam@timesfreepress.com), [jwalton@timesfreepress.com](mailto:jwalton@timesfreepress.com), Alison Gerber <[agerber@timesfreepress.com](mailto:agerber@timesfreepress.com)>

**\*\*\* MEDIA ADVISORY \*\*\***

**For Planning Purposes:** Jan. 16, 2018

Contact: Chelsea Schachle / **Ex. 6 Personal Privacy (PP)**

Phone: **Ex. 6 Personal Privacy (PP)**

**Thursday: Chattanooga Community Leaders to address Federal EPA Budget Cuts to Toxic Cleanup Programs**

(Chattanooga, TN) -- As Congress approaches another government shutdown deadline over the federal budget this week, local leaders will gather Thursday, January 18th at 12:00pm at Jefferson Heights, recently named by the Environmental Protection Agency as '**one of the most toxic sites in America due to lead contamination**', to protest President Trump's budget that aims to cut the EPA by 30 percent, hindering clean up efforts.

**What:** EPA Budget Cuts Press Conference at Jefferson Heights Park (1800 Jefferson St.)

**When:** Thursday, January 18, 2018 (1 PM ET)

**Who:**

- Dr. Brent Morris, M.D.  
Pediatrician, Dodson Avenue Community Health Center
- Sadie McElrath, FNP-C  
Nurse Practitioner, LifeSpring Pediatrics
- Concerned Members of Community

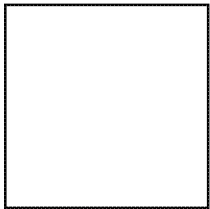
**Where:** Jefferson Heights Park (1800 Jefferson St.)  
Chattanooga, TN

Local leaders will address how it's important to Tennessee's business and economic prosperity to see these highly contaminated Superfund sites cleared of their harmful pollution and that cutting the EPA's budget by nearly a third worsens the local burden posed by toxic sites, threatens human health, and hurts the ability to create and grow businesses.

Local leaders will also call on Senators Lamar Alexander and Bob Corker to oppose these drastic EPA cuts that only undermine efforts to clean up harmful pollution at sites like the Southside Chattanooga Lead site, and jeopardize the well-being of our state's health and economy.

Photo credited to The Times Free Press. Click here to view original article:





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Chelsea Schachle  
mobile: Ex. 6 Personal Privacy (PP) friend: [fb.com/eschachle](https://www.facebook.com/eschachle)

--  
Mark Pace  
Staff Reporter | Outdoors beat  
Chattanooga Times Free Press  
423-757-6659  
[mpace@timesfreepress.com](mailto:mpace@timesfreepress.com)  
<http://www.timesfreepress.com/staff/mark-pace/>

Message

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**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 1/17/2018 7:39:12 PM  
**To:** jarrett.renshaw@thomsonreuters.com  
**Subject:** RE: Press Inquiry about Enforcement

Jarrett—

For attribution to “an EPA spokesperson:”

“EPA cannot comment on potential future bankruptcy proceedings.”

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

---

**From:** jarrett.renshaw@thomsonreuters.com [mailto:jarrett.renshaw@thomsonreuters.com]  
**Sent:** Friday, January 12, 2018 10:59 AM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** Press Inquiry about Enforcement

Hello, this is Jarrett Renshaw, a reporter with Reuters. Not sure if this question falls under enforcement, but will give it a try.

I am doing a story that looks at how bankruptcy courts treat outstanding regulatory obligations, specifically under the U.S. Renewable Fuel Standard. For example, if a refiner with an outstanding compliance obligation under the program files for bankruptcy, can they get relief from the EPA?

Philadelphia Energy Solutions has amassed a significant obligation under the program in recent months and is expected to file bankruptcy soon.

The consensus view from the legal industry is companies must continue to comply with all regulations, even under bankruptcy, but the EPA may enter into discussions to provide some relief or help the company get back on better financial footing.

How would the EPA treat outstanding RIN obligations in a bankruptcy? And has the EPA and Philadelphia Energy Solutions had any preliminary discussions on the issue?

Thanks for your time and attention.

Jarrett Renshaw

National Energy Markets Reporter

Reuters

[jarrett.renshaw@thomsonreuters.com](mailto:jarrett.renshaw@thomsonreuters.com)

Office: (646) 223-6193

Cell: Ex. 6 Personal Privacy (PP)

Twitter: [@jarrettrenew](https://twitter.com/jarrettrenew)

IM: jrenshaw\_reuters08

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/20/2017 9:57:14 PM  
**To:** [rj.vogt@law360.com](mailto:rj.vogt@law360.com)  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Inquiry re: announcement glyphosate does not cause cancer

RJ, for attribution to "an EPA spokesperson," please:

"The draft human health risk assessment concludes that glyphosate is **not likely** to be carcinogenic to humans.

This is not a change in EPA's position. In 2016, EPA held a FIFRA Scientific Advisory Panel (SAP) meeting to present its evaluation of the human carcinogenic potential of glyphosate. EPA published meeting materials, including a glyphosate issue paper with the Agency's proposed classification that glyphosate is not likely to be carcinogenic to humans at doses relevant for human health risk assessment. The meeting minutes and final report were published in March 2017 in glyphosate's SAP docket (EPA-HQ-OPP-2016-0385) at [www.regulations.gov](http://www.regulations.gov)

EPA does not comment on litigation."

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**From:** Daguillard, Robert  
**Sent:** Wednesday, December 20, 2017 3:18 PM  
**To:** 'rj.vogt@law360.com' <[rj.vogt@law360.com](mailto:rj.vogt@law360.com)>  
**Subject:** FW: Inquiry re: announcement glyphosate does not cause cancer

Good afternoon RJ,

My colleagues from our Region 9 office forwarded me your query. We'll try meeting your deadline, although it's relatively tight for us in the East.

Thanks, R.

++

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** RJ Vogt <[rj.vogt@law360.com](mailto:rj.vogt@law360.com)>  
**Date:** December 19, 2017 at 5:35:35 PM PST  
**To:** [keener.bill@epa.gov](mailto:keener.bill@epa.gov), [zito.kelly@epa.gov](mailto:zito.kelly@epa.gov)  
**Subject:** Inquiry re: announcement glyphosate does not cause cancer

Hey Bill and Kelly,

I'm a Law360 reporter working on a brief story about the EPA's announcement yesterday that glyphosate does not cause cancer.

Mainly I wanted to see if this announcement represents a change in the EPA's official position on glyphosate. Has the EPA always held that glyphosate does not cause cancer or is this a new stance?

Also wanted to see if you had any comment as to the potential legal ramifications of this announcement. As you may know there's multiple lawsuits alleging the chemical does cause cancer.

We plan to publish today so please respond promptly if you can help.

thank you kindly,

--

RJ Vogt  
Reporter



A LexisNexis® Company

Legal News & Data  
811 W 7th St, 9th floor  
Los Angeles, CA 90017  
615-289-2476

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/20/2017 9:48:32 PM  
**To:** Block, Molly [block.molly@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Udall response to PRIA letter

All moot now:

NewsInsights



*Sen. Tom Udall (D-N.M.) speaks during an Environment and Public Works Committee hearing in September 2015.*

News

## Pesticide Industry Likely Won't Get Fee Law for Christmas

Posted Dec. 20, 2017, 4:33 PM

By Tiffany Stecker

- Sen. Tom Udall maintains hold on the Pesticide Registration Improvement Act reauthorization
- Udall says EPA is "inaccurate" about comments made at a November public meeting

The prospect for reauthorizing legislation to keep the EPA's Office of Pesticide Programs afloat for the next three years have dimmed, with one senator refusing to allow the legislation to the floor under the Senate's expedited process for passing bills.

Sen. Tom Udall said he won't lift his hold on the Pesticide Registration Improvement Act (H.R. 1029), called PRIA, a bill to reauthorize the agency's ability to collect industry fees to approve new pesticides and review existing chemicals.

The New Mexico Democrat told Bloomberg Environment that the agency inaccurately described discussions over farmworker rules in a letter to Udall regarding the senator's concerns on a series of contentious pesticide decisions this year.

The current authorization for PRIA, which helps fund about one-third of the Office of Pesticide Programs' activities, will expire with the continuing resolution to fund the federal government through Dec. 22, unless it's included in another stopgap spending bill.

The Senate Agriculture, Nutrition and Forestry Committee didn't immediately respond to Bloomberg Environment's request for comment.

### **Companies Eager to Pass Bill**

Companies such as Monsanto Co., DowDupont Inc., and Bayer AG, as well as environmental and farmworker advocacy groups, are eager to pass the bill because it helps bring pesticides to market more quickly and pays for pesticide safety programs.

CropLife America, the trade association for pesticide companies, didn't immediately respond to a Bloomberg Environment request for comment.

Udall objected to the EPA's denial of a petition to prohibit agricultural uses of the insecticide chlorpyrifos, which are linked to neurodevelopmental delays in children. Udall also questioned the administration's one-year delay of two Obama administration rules to protect farmworkers from pesticides.

The EPA last week said it would no longer delay the farmworker rules, but would begin reviewing the regulations in 2018 to change certain provisions—a move Udall also opposes.

In July, Udall and three other Senate Democrats sent a [letter](#) to the agency to respond to concerns about the chlorpyrifos decision and the delays for the 2015 Worker Protection Standard and 2017 Certification of Pesticide Applicators rule.

"I will lift my hold on PRIA if the EPA agrees to respond to objections that have been filed about its decision not to ban the dangerous pesticide chlorpyrifos, and agrees to protect rules that prevent children ... from being exposed to dangerous pesticides and that allow farmworkers to have access to safety information," Udall said in an emailed statement.

EPA spokesman Robert Dagguillard told Bloomberg Environment that "the agency will respond to Senator Udall's office through appropriate channels."

### **'Inaccurate At Best'**

A Dec. 18 letter from the EPA details why the agency is taking those steps. Charlotte Bertrand, acting principal deputy assistant administrator for the Office of Chemical Safety and Pollution Prevention, told Udall that the farmworker rules won't be delayed beyond 2018, but that the EPA will revisit certain provisions.

In particular, the EPA will look into changing the minimum age of 18 for farmworkers to apply pesticides, a provision to provide workers with a representative to demand pesticide use information from farmers, and another requirement to implement no-entry zones around pesticide spraying areas, Bertrand said in the letter.

The decision is, in part, based on feedback from a Nov. 2 pesticide committee meeting in which members told the EPA that the farmworker rules' exemptions for family members was not flexible enough, and that some outside advisers on the committee suggested letting states decide the minimum age.

Bertrand also wrote that members of the Pesticide Program Dialogue Committee, a panel of state, environmental, public health and industry representatives, encouraged the EPA to find a "neutral" party to represent farmworkers. Farm industry interests have long opposed the "designated representative" clause in the worker protection standing, saying it could place sensitive pesticide use information in the hands of activists or attorneys.

The EPA is wrong, Udall said. Committee members agreed that 18 should be the minimum age for pesticide applicators, he said, and there was no discussion on "neutral representatives."

"My staff attended the November pesticide group meeting, and the account in the letter is inaccurate at best," he said. "The number of inaccuracies in this letter are unsettling, and do not give me any confidence that the EPA is approaching this issue with good faith."

### **Acting on Chlorpyrifos**

Bertrand added in the letter that the agency would act on chlorpyrifos by Oct. 1, 2022. As part of the reconsideration of the pesticide's health and environmental effects, the EPA would publish more scientific documents and call for scientific advisory panel to weigh in on the issue.

Udall told Bloomberg Environment in a Dec. 19 interview that the agency has yet to formally respond to environmental groups' objections to the March 29 chlorpyrifos decision because that objection could be used against the agency in court.

"That's what triggers the ability for people to go to court and litigate it," Udall said.

The EPA's chlorpyrifos decision was challenged June 5 by the League of United Latin American Citizens and other advocacy organizations who argue the denial contradicts the agency's assessment of the science. The court denied the EPA's motion to dismiss the case Dec. 20, moving the challenge to the decision one step forward.

To contact the reporter on this story: Tiffany Stecker in Washington at [tstecker@bloombergenvironment.com](mailto:tstecker@bloombergenvironment.com)

To contact the editor responsible for this story: Rachael Daigle at [rdaigle@bloombergenvironment.com](mailto:rdaigle@bloombergenvironment.com)

---

**From:** Block, Molly

**Sent:** Wednesday, December 20, 2017 3:40 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: Udall response to PRIA letter

Looping in Jahan.

---

**From:** Daguillard, Robert

**Sent:** Wednesday, December 20, 2017 3:11 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** FW: Udall response to PRIA letter

Third Floor colleagues, does any of you want to lend their name to the quote? If not, the reporter will very likely attribute to me.

My recollection is that this outlet's editors laid down a strict attribution policy about a year-and-a-half ago; and that every so often, there's a push to enforce it. Please advise.

---

**From:** Stecker, Tiffany [<mailto:tstecker@bloombergenvironment.com>]

**Sent:** Wednesday, December 20, 2017 3:01 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: Udall response to PRIA letter

Dear Robert,

Thank you. I personally don't have a problem with using "an EPA spokesman" but my editors told me I have to attach a name to a statement. Thanks for understanding.

Tiffany



---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, December 20, 2017 2:59 PM  
**To:** Stecker, Tiffany <[tstecker@bloombergenvironment.com](mailto:tstecker@bloombergenvironment.com)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Udall response to PRIA letter

Tiffany, for attribution to “an EPA spokesperson,” please:

“The agency will respond to Senator Udall’s office through appropriate channels.”

Regards, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Stecker, Tiffany [<mailto:tstecker@bloombergenvironment.com>]  
**Sent:** Wednesday, December 20, 2017 10:47 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Cc:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Udall response to PRIA letter

Dear Press team,

Sen. Udall has responded to EPA’s Dec. 18 letter, calling the account of the PPDC meeting “inaccurate at best” and has refused to lift his hold on PRIA. Here is his statement in full:

“I haven’t yet heard a reasonable answer from the EPA about my request that the agency respond to my concerns, which are simple – I will lift my hold on PRIA if the EPA agrees to respond to objections that have been filed about its decision not to ban the dangerous pesticide chlorpyrifos, and agrees to protect rules that prevent children – who are as young as elementary school age -- from being exposed to dangerous pesticides and that allow farmworkers to have access to safety information about the pesticides they are handling.

“My staff attended the November pesticide group meeting, and the account in **the letter is inaccurate at best. In fact, the number of inaccuracies in this letter are unsettling, and do not give me any confidence that the EPA is approaching this issue with good faith. For example, I would encourage the EPA to release audio or transcripts and explain where they heard comments about ‘letting states determine a minimum age for agricultural handlers that meets the needs of the local rural economy.’ There was consensus from stakeholders that the minimum age for pesticide application should be 18.** Similarly, there was no discussion of flexibility for commercial applicators or of ‘neutral representatives.’

“I’m also very disturbed that the EPA will delay publishing pesticide safety training materials until after the rulemaking process is completed. The EPA contends that they are not delaying implementation dates, but safety training cannot commence without this information. The information includes guidelines that keep workers safe from hazardous chemicals – which are known to cause serious illness -- including the possible danger to themselves and their family members from pesticide residue on hair, shoes and clothing; steps that employers must take to ensure a safe workplace; and how to report safety violations to the state or Tribal enforcement agency.

“The EPA has told me repeatedly that they haven’t responded to the objections that have been filed about its decision on chlorpyrifos because they don’t have the resources to carry out essential functions. But as this letter details, they have chosen to undergo an expensive and labor-intensive rewriting of crucial aspects of these worker protection rules. If Administrator

**Would EPA like to respond to Sen. Udall's response, particularly to the claims that the account of the PPDC meeting was "inaccurate" because there was no opposition to the minimum age provision?**

Tiffany

**Tiffany Stecker**  
Reporter  
**Bloomberg Environment**

Cell	Ex. 6 Personal Privacy (PP)
------	-----------------------------

tstecker@bloombergenvironment.com

Message

---

**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 12/20/2017 9:09:32 PM  
**To:** Sean Reilly [sreilly@eenews.net]  
**Subject:** RE: Coal Combustion Products Partnership program

Sean—

For attribution to “an EPA spokesperson:”

The Agency appreciates working with stakeholders on the responsible beneficial use of CCR, as well as other non-hazardous industrial secondary materials. We fully addressed the concerns that had been raised by EPA’s IG. The Agency has not made a decision to revive the Coal Combustion Products Partnership (C2P2) Program.

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

---

**From:** Sean Reilly [mailto:sreilly@eenews.net]  
**Sent:** Monday, December 18, 2017 7:30 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Coal Combustion Products Partnership program

Hello all:

Please let me know if you have any comment on environmental groups’ request (noted in the press release below) that EPA opt against restarting the Coal Combustion Products Partnership and also determine whether further action is needed to address coal ash structural fill applications, per the second recommendation in EPA-OIG report No. 11-0173 (<https://www.epa.gov/sites/production/files/2015-10/documents/20110323-11-p-0173.pdf>). My deadline is 11:45 tomorrow morning.

Sean Reilly

Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP)

 (Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

**As Spreading of Toxic Coal Ash Increases, Groups Oppose Reviving EPA Promotional Reuse Program**

*EPA Considering Reviving Previously Shut Down Program that Promoted Coal Ash Reuse After Inspector General Found EPA Had Not Verified that Promoted Reuses Were Safe*

WASHINGTON, D.C. – Following industry requests that EPA revive an ill-fated partnership to “promote” the reuse of toxic coal ash, 13 public health and environmental groups today sent a letter urging EPA not to revive that controversial program and to complete a long-delayed study of historical coal ash fill sites as well as evaluate the risks of coal ash reuses.

The placement of toxics-laden coal ash at fill sites has skyrocketed 23% percent following the EPA’s passage of a 2015 rule allowing fill sites to avoid disposal regulations. Under the guise of “reuse,” EPA allows toxic coal ash – the waste left over from coal-burning power plants – to be spread as fill dirt anywhere in the U.S. Industry now wants EPA not to just to allow this dangerous practice, but to promote it, requesting that EPA reinstate the scrapped “C2P2” partnership, despite the fact that the Office of Inspector General required EPA to shut down the program in 2011 when EPA violated agency procedures and ethics by promoting reuses that it had not determined to be safe.

Coal ash waste contains deadly toxins, including arsenic, lead, mercury and chromium. The toxics raise the risk for cancer, heart disease, and stroke, and can inflict lasting brain damage on children.

While some reused coal ash is placed into products like drywall and concrete, which minimizes the risk that the toxics in the ash would cause harm, “unencapsulated” uses – those involving loose ash – can release dangerous amounts of hazardous substances to water and air. It is these reuses that are on the rise. Industry has dramatically ramped up unsafe “recycling” of loose coal ash particulates or sludge, which essentially just moves pollution from one place to another. “Unencapsulated” reuses include construction fill, fill for mines, road base, blasting grit, snow and ice control, agricultural uses, and more.

In a letter sent to EPA and the Office of Inspector General today, 13 environmental groups urge the four federal agencies involved - the EPA, U.S. Department of Energy, Federal Highway Administration, and U.S. Department of Agriculture - to hold off reinstating the coal ash reuse promotional program, because EPA failed to confirm unencapsulated uses will be safe for the public.

“The EPA has documented pollution at many sites where coal ash was used as fill, and that’s not acceptable,” **said Earthjustice Senior Counsel Lisa Evans**. “The EPA needs to determine where this pollution is threatening public health before promoting increased use.”

The 2011 Inspector General’s report, “EPA Promoted the Use of Coal Ash Products with Incomplete Risk Information,” raised serious questions about the C2P2 program’s safety and concluded that contamination of drinking water posed a significant concern at large fill sites. The report called for changes that have not been made.

The environmental groups' letter points out that there are numerous documented cases of coal ash fill causing contamination of water and air, including a Superfund site in Indiana where a community's drinking water was contaminated. At least 22 fill sites have already been classified by EPA as "confirmed damage" cases, meaning they have had releases of pollutants above regulatory standards and/or had damage to health or the environment documented in scientific studies or administrative or court rulings. The EPA has documented water contamination from coal ash used as fill in Indiana, Maryland, Michigan, North Carolina, Tennessee, Virginia, Wisconsin, Illinois, Massachusetts, Ohio, and Pennsylvania.

"No one—especially not the Environmental Protection Agency—should be encouraging putting coal ash in uses that have not been proven to be safe," **said Lisa Hallowell, Senior Attorney for the Environmental Integrity Project.** "EPA admitted that coal ash has caused 'the largest number of damage cases in the history of the RCRA program.' With so many of those damage cases occurring at fill sites, EPA should be acting to limit—not expand—placement at these sites until they can prove doing so will be safe for communities."

The groups are asking the EPA to do an in-depth, rigorous evaluation of known sites where coal ash has been used as fill to identify health and environmental impacts and to determine whether additional measures are necessary to protect public health and the environment from releases of coal ash pollutants. The groups point out that EPA failed to fulfill its 2012 commitment to the Office of Inspector General to provide milestones for determining whether action is warranted to address these historic CCR fill sites.

[Read the release online](#)

[Read the letter](#)

Message

---

**From:** Gray, Justin (CMG-WNB) [Justin.Gray@coxinc.com]  
**Sent:** 12/20/2017 4:00:14 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Press Inquiry about Toxics / TSCA

Thanks Robert this is very helpful!

Sent from my iPhone

On Dec 20, 2017, at 10:35 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Justin, for attribution to "an EPA spokesperson," please:

""There are two efforts under different sections of TSCA to work on these three chemicals.

(1) EPA is evaluating these three chemicals as part of the group of the first ten chemicals undergoing the initial chemical risk evaluations under Lautenberg (the First Ten). We published scoping documents for these chemicals in June 2017. These documents identify what uses of the chemicals will be evaluated and how the evaluation will be conducted. We will refine the scope of our risk evaluations with problem formulations to be published in the coming months.

(2) Under Section 6(a), regulation of certain uses of these chemicals was proposed in 2016. The agency is currently considering the comments received, including comments suggesting that these actions be harmonized with the risk evaluations mentioned above. In 2018 these proposals may be undergoing the extensive rule finalization process. This analysis could easily take a year and **the status change on the regulatory agenda reflects that EPA does not anticipate a final action in 2018. It does not preclude our ongoing work on these proposals, nor does it pause the risk evaluations that must be concluded by 2019 per the statute.**

EPA is working diligently to implement all the provisions of the Lautenberg Amendments to the Toxic Control Substances Act."

Cheers, R.

---

**From:** Gray, Justin (CMG-WNB) [<mailto:Justin.Gray@coxinc.com>]  
**Sent:** Wednesday, December 20, 2017 10:08 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Press Inquiry about Toxics / TSCA

Hi Robert.

Checking in about alleged "indefinite delay" of the proposed ban of 3 toxic chemicals.

We reported about a year ago when you named those chemicals to your list of 10 to be eventually banned.

What can you share about this claim by EWG that the products have been stripped from the "unified Agenda"?

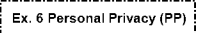
<https://www.ewg.org/release/trump-epa-indefinitely-delays-bans-deadly-chemicals#.Wjp2tEqnGUn>

Why the change? I thought they were added to the original "top ten" list because there was solid science and EPA evidence of dangers?

Our deadline is 2pm.

Thank you,

Justin Gray | Washington Correspondent  
Cox Media Group Washington Bureau  
400 North Capitol Street, NW | Suite 750 | Washington, DC 20001

Cell:  Direct: (202)777-7055 | Main:(202)777-7000

Email: [Justin.Gray@coxinc.com](mailto:Justin.Gray@coxinc.com) twitter: @grayjustin

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WFXT/Boston | WSB/Atlanta | KIRO/Seattle | WFTV/WRDQ/Orlando | WPXI/PCNC/Pittsburgh  
WSOC/WAXN/Charlotte | WJAX/WFOX/Jacksonville | WHBQ/Memphis | KOKI/KMYT/Tulsa | WHIO/Dayton

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WSBradio/Atlanta | WDBOradio/Orlando | WOKVradio/Jacksonville | KRMGradio/Tulsa | WHIOradio/Dayton |  
WGAUradio/Athens

<image002.jpg>

Click [here](#) to report this email as spam.

Message

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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 12/20/2017 3:35:22 PM  
**To:** Gray, Justin (CMG-WNB) [Justin.Gray@coxinc.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** FW: Press Inquiry about Toxics / TSCA

Justin, for attribution to "an EPA spokesperson," please:

""There are two efforts under different sections of TSCA to work on these three chemicals.

(1) EPA is evaluating these three chemicals as part of the group of the first ten chemicals undergoing the initial chemical risk evaluations under Lautenberg (the First Ten). We published scoping documents for these chemicals in June 2017. These documents identify what uses of the chemicals will be evaluated and how the evaluation will be conducted. We will refine the scope of our risk evaluations with problem formulations to be published in the coming months.

(2) Under Section 6(a), regulation of certain uses of these chemicals was proposed in 2016. The agency is currently considering the comments received, including comments suggesting that these actions be harmonized with the risk evaluations mentioned above. In 2018 these proposals may be undergoing the extensive rule finalization process. This analysis could easily take a year and **the status change on the regulatory agenda reflects that EPA does not anticipate a final action in 2018. It does not preclude our ongoing work on these proposals, nor does it pause the risk evaluations that must be concluded by 2019 per the statute.**

EPA is working diligently to implement all the provisions of the Lautenberg Amendments to the Toxic Control Substances Act."

Cheers, R.

---

**From:** Gray, Justin (CMG-WNB) [mailto:Justin.Gray@coxinc.com]  
**Sent:** Wednesday, December 20, 2017 10:08 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Press Inquiry about Toxics / TSCA

Hi Robert.

Checking in about alleged "indefinite delay" of the proposed ban of 3 toxic chemicals.

We reported about a year ago when you named those chemicals to your list of 10 to be eventually banned.

What can you share about this claim by EWG that the products have been stripped from the "unified Agenda"?

<https://www.ewg.org/release/trump-epa-indefinitely-delays-bans-deadly-chemicals#.Wip2tEgnGUn>

Why the change? I thought they were added to the original "top ten" list because there was solid science and EPA evidence of dangers?

Our deadline is 2pm.

Thank you,

Justin Gray | Washington Correspondent  
Cox Media Group Washington Bureau  
400 North Capitol Street, NW | Suite 750 | Washington, DC 20001

Cell: Ex. 6 Personal Privacy (PP) Direct: (202)777-7055 | Main:(202)777-7000

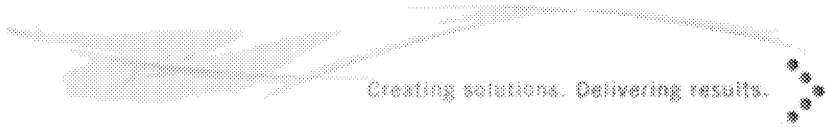


Email: [Justin.Gray@coxinc.com](mailto:Justin.Gray@coxinc.com) twitter: @grayjustin



WFXT/Boston | WSB/Atlanta | KIRO/Seattle | WFTV/WRDQ/Orlando | WPXI/PCNC/Pittsburgh  
WSOC/WAXN/Charlotte | WJAX/WFOX/Jacksonville | WHBQ/Memphis | KOKI/KMYT/Tulsa | WHIO/Dayton

WSBradio/Atlanta | WDBOradio/Orlando | WOKVradio/Jacksonville | KRMGradio/Tulsa | WHIOradio/Dayton | WGAUradio/Athens



Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/14/2019 8:17:51 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review - WSJ: Inquiry on glyphosate

G2G

---

**From:** Daguillard, Robert  
**Sent:** Thursday, March 14, 2019 4:09 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review - WSJ: Inquiry on glyphosate

Approved by Nancy Beck. Good to send?

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

**From:** Bunge, Jacob <Jacob.Bunge@wsj.com>  
**Sent:** Wednesday, March 13, 2019 2:20 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Inquiry on glyphosate

Robert, this EPA web page says the agency expects to "publish the proposed interim registration review decision for glyphosate in 2019." Is that still the current timeframe?

<https://www.epa.gov/pesticides/epa-releases-draft-risk-assessments-glyphosate>

Thanks,  
Jacob

On Fri, Mar 1, 2019 at 2:35 PM Bunge, Jacob <Jacob.Bunge@wsj.com> wrote:

Robert, thanks for your response, but these are questions for EPA, not these litigants.

Let me rephrase:

Has EPA analyzed or investigated the alleged role of Monsanto's scientists in a number of studies evaluating glyphosate's safety profile, some of which have been cited in the EPA's review of glyphosate? If so, what were the conclusions?

Other regulatory agencies have examined this matter and responded, and I need to understand the EPA's position, if there is one. Thanks--

-Jacob

On Fri, Mar 1, 2019 at 2:21 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Jacob,

You'd have to ask the parties to the case for any comment on their arguments and theories in that case. – **EPA Spokesperson.**

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>

**Sent:** Thursday, February 28, 2019 5:36 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Inquiry on glyphosate

Robert, following up on this -- the response below lays out the EPA's process and criteria for considering studies and research as part of the pesticide registration process, but it doesn't speak to the question of how the EPA has considered these allegations by the plaintiffs' lawyers over the past couple of years that Monsanto's scientists played an inappropriate role in reviewing and editing a handful of studies into this subject. I was curious whether the EPA has responded to those assertions:

> I wanted to understand how the EPA considers this sort of involvement in the context of reviewing the scientific literature for the re-registration process, why these assertions by the plaintiffs' attorneys are or are not a concern, and whether the EPA has inquired further about the company's involvement in scientific research that's considered as part of the regulatory review process for this product.

I looked through the documents linked at the bottom of your email, but haven't yet been able to see if this is addressed. If I'm missing it please let me know, and I will look further myself.

Thanks,

Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Tue, Feb 26, 2019 at 2:52 PM Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Jacob, for attribution to “an EPA Spokesperson,” please:

“The Federal Insecticide, Fungicide and Rodenticide Act requires that pesticide manufacturers conduct and submit to EPA studies to support registration, registration review, and reregistration decisions. Congress placed this obligation on the pesticide manufacturer rather than requiring EPA to develop and fund such data development. The required data provide a wide range of information and include the following: product chemistry, product performance, studies that determine hazard to humans and domestic animals, studies that determine hazard to non-target organisms, post-application exposure studies, applicator/user exposure studies, pesticide spray drift studies, environmental fate, and residue chemistry studies.

EPA has practices in place and enforcement policies to help ensure that registrant-developed data represent sound science. For example, EPA developed an extensive set of guidelines that applicants and registrants use in developing required data. Laboratories must conduct required studies in accordance with Good Laboratory Practices (GLP) to ensure data quality and integrity. EPA’s Office of Enforcement and Compliance Assurance (OECA) periodically inspects labs that conduct required studies to ensure that labs are in compliance with GLP. Once studies are submitted to the Agency, EPA scientists review studies to ensure that the design of the study is appropriate and that the data are collected and analyzed accurately.

In addition to registrant-submitted studies, EPA scientists review pesticide studies from peer-reviewed scientific journals and data from a wide variety of sources when they are available. In doing so, agency scientists identify hazards and characterize risks using the best data available for their review. EPA’s criteria for evaluating open literature data for both human health and ecological risk assessments are available on the EPA’s website. See

<https://www.epa.gov/pesticide-registration/understanding-science-behind-epas-pesticide-decisions> for information on Understanding the Science behind EPA's Pesticide Decisions, especially the subsections, "When EPA Receives New Studies" and "Transparency and Scientific Integrity."

The Freedom of Information Act is the means through which the public can gain access to registrant-submitted studies and EPA's review of those studies.

EPA's cancer evaluation for glyphosate included studies submitted to the Agency and relevant studies from the open literature. See <https://www.regulations.gov/document?D=EPA-HQ-OPP-2009-0361-0086> for a bibliography of studies submitted by glyphosate registrants and reviewed by EPA. More information on how the studies were identified and evaluated can be found in the revised glyphosate issue paper (<https://www.regulations.gov/document?D=EPA-HQ-OPP-2009-0361-0073>) and <https://www.regulations.gov/document?D=EPA-HQ-OPP-2009-0361-0067>

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>

**Sent:** Friday, February 22, 2019 2:40 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Re: Inquiry on glyphosate

Thanks, I'll check in with you then

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)

Ex. 6 Personal Privacy (PP) (mobile)  
Jacob.bunge@wsj.com

@jacobbunge

On Fri, Feb 22, 2019 at 1:38 PM Daguiard, Robert <Daguiard.Robert@epa.gov> wrote:

Good afternoon Jacob,

So, I'm off to a doctor's appointment shortly. I don't expect we'll be getting back to you today. Monday is probably more likely, but why don't we raincheck our chat till then?

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <Jacob.Bunge@wsj.com>

**Sent:** Friday, February 22, 2019 2:19 PM

**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>

**Subject:** Re: Inquiry on glyphosate

Robert, can we follow up on this today?

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312.750.4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
Jacob.bunge@wsj.com

@jacobbunge

On Tue, Feb 19, 2019 at 11:10 AM Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)> wrote:

That should work, thanks.

-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  

Ex. 6 Personal Privacy (PP) (mobile)

[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Tue, Feb 19, 2019 at 11:03 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Jacob. Let's shoot for 3 PM Eastern, then?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>

**Sent:** Tuesday, February 19, 2019 11:59 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

Cc: Press <Press@epa.gov>

Subject: Re: Inquiry on glyphosate

Thanks. Right now I am tied up from 2-2:30 your time, but otherwise free, at the office number below.

-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)

Ex. 6 Personal Privacy (PP) (mobile)  
[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)

@jacobbunge

On Tue, Feb 19, 2019 at 10:58 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Jacob,

Yes, I can talk to you today. But I must make it very clear I won't be giving you comments for publication, whether on the record, or on background. I really just want to get a better understanding of your ask, of your bigger story (are you, for instance, referencing the ongoing Monsanto litigation in California, etc).

Once I have all that, we'll be in a much better position to work on a response for you.

Let me know if there's a time that works for you this afternoon.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC



+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>

**Sent:** Tuesday, February 19, 2019 11:54 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Inquiry on glyphosate

Robert, can you talk on this today?

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Fri, Feb 15, 2019 at 4:27 PM Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)> wrote:

Hi Robert, good to hear from you. I'm back in the office on Tuesday, if there's a time that works on your end that day.

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Fri, Feb 15, 2019 at 4:26 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Jacob,

Why don't we touch base early next week, maybe Tuesday?

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Feb 15, 2019, at 5:23 PM, Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)> wrote:

Maggie, thanks for your response, and sorry for the delay getting back to you on this. I have been pulled into a couple other articles in the meantime.

My question relates to the EPA's assessment of glyphosate in the context of the internal company communications that have been disseminated by plaintiffs' attorneys, in which Monsanto officials in some cases review and make edits to research manuscripts being worked on by academics and non-company scientists. Some of these company communications have concerned studies that the EPA has considered as part of its registration review of glyphosate, such as Kier and Kirkland (2013), Mink et al (2012) and Williams et al (2000), in which plaintiffs' attorneys say the company communications show that Monsanto's scientists reviewed and in some cases proposed edits to these papers.

The company previously has said that the authors' conclusions remain their own and that any edits amounted to textual/editorial changes. I wanted to understand how the EPA considers this sort of involvement in the context of reviewing the scientific literature for the re-registration process, why these assertions by the plaintiffs' attorneys are or are not a concern, and whether the EPA has inquired further about the company's involvement in scientific research that's considered as part of the regulatory review process for this product.

Please let me know if we could set something up by the end of next week, Feb. 22.

-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) 312 750 4117 (mobile)  
Jacob.bunge@wsj.com

@jacobbunge

On Wed, Feb 6, 2019 at 8:10 AM Sauerhage, Maggie <[Sauerhage.Maggie@epa.gov](mailto:Sauerhage.Maggie@epa.gov)> wrote:

Good morning,

A colleague forwarded your voicemail sharing that you had some questions on EPA's assessment of glyphosate. If you could please send me your questions and deadline, we can work on getting them answered for you.

Thanks,

Maggie

Maggie Sauerhage

Office of Public Affairs

U.S. Environmental Protection Agency

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/25/2019 5:56:49 PM  
**To:** Walitsky, Sue (Cardin) [Sue\_Walitsky@cardin.senate.gov]; Frede, Shannon (Cardin) [Shannon\_Frede@cardin.senate.gov]; Frye, Tony (Robert) [frye.robert@epa.gov]  
**Subject:** Re: WIFIA statement

For photos, please see: <https://www.flickr.com/gp/usepagov/0p2gJM>

Sent from my iPhone

On Feb 24, 2019, at 11:31 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

FYI - this just went out:

**\*\*\*MEDIA ADVISORY\*\*\***

**Acting Administrator Wheeler in Baltimore to Discuss Water Infrastructure**

**WASHINGTON** — On Monday, February 25, 2019, U.S. Environmental Protection Agency (EPA) Acting Administrator Andrew Wheeler will hold an open press event on the agency's latest Water Infrastructure Finance and Innovation Act (WIFIA) loan to the City of Baltimore, Md., to help the city make system-wide upgrades to its aging wastewater infrastructure at the Back River Wastewater Treatment Plant.

**WHO:** EPA Acting Administrator Andrew Wheeler  
Senator Ben Cardin (D-MD)  
Senator Chris Van Hollen (D-MD)  
Baltimore City Mayor Catherine Pugh  
Baltimore County Executive John A. Olszewski Jr.  
Maryland Department of the Environment Secretary Ben Grumbles  
Baltimore City Department of Public Works Director Rudolph Chow

**WHAT:** Open Press Baltimore WIFIA Event

**WHEN:** Monday, February 25  
11:30 am EST

**WHERE:** Back River Wastewater Treatment Plant  
8201 Eastern Ave.  
Baltimore, MD 21224

Credentialed media: please RSVP to [press@epa.gov](mailto:press@epa.gov) for more information.

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[1200 Pennsylvania Avenue Northwest](#)  
[Washington, D.C. 20004](#)

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Sent from my iPhone

On Feb 22, 2019, at 4:44 PM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Ok

---

**From:** Walitsky, Sue (Cardin) <[Sue\\_Walitsky@cardin.senate.gov](mailto:Sue_Walitsky@cardin.senate.gov)>

**Sent:** Friday, February 22, 2019 4:43 PM

**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Frede, Shannon (Cardin)

<[Shannon\\_Frede@cardin.senate.gov](mailto:Shannon_Frede@cardin.senate.gov)>; Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>

**Subject:** RE: WIFIA statement

Thanks. One slight edit to the quote. One other that hits in a few places. We prefer to put the "U.S." before Senator so as to differentiate between Maryland senators (who work in Annapolis) and Maryland's U.S. Senators (who work in DC).

"This is tremendous news for the people of Baltimore. Continued federal support for water infrastructure is an investment in public health, good jobs and economic stability for our neighborhoods," **said Senator Ben Cardin (D-MD)**. "Every community has a right to expect that water coming from their tap is safe to drink. I'm proud of our continued effort to make needed upgrades and repairs to drinking and wastewater systems that reduce the burden on consumers.""

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**From:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Sent:** Friday, February 22, 2019 4:38 PM  
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**Subject:** RE: WIFIA statement

Please see draft release below:



U.S. ENVIRONMENTAL PROTECTION AGENCY  
**NEWS RELEASE**  
[WWW.EPA.GOV/NEWSROOM](http://WWW.EPA.GOV/NEWSROOM)

---

## **EPA Provides \$202 Million Loan to Modernize Baltimore Wastewater Infrastructure**

*WIFIA loan to help finance water infrastructure upgrades that will better protect public health and water quality for 1.8 million Baltimore residents*

---

**BALTIMORE** (February 25, 2019) – Today, U.S. Environmental Protection Agency Acting Administrator Andrew Wheeler announced a \$202 million Water Infrastructure Finance and Innovation Act (WIFIA) loan to the City of Baltimore, Md., to help the city make system-wide upgrades to its aging wastewater infrastructure at the Back River Wastewater Treatment Plant. Administrator Wheeler was joined by Maryland’s U.S. Senators Ben Cardin and Chris Van Hollen, Mayor Catherine Pugh, Maryland Department of the Environment Secretary Ben Foss, Baltimore County Executive John A. Olszewski Jr., Baltimore City Department of Public Works Director Rudolph Chow, and EPA Mid-Atlantic Regional Administrator Cosmo Servidio.

“PLACEHOLDER FOR QUOTE,” **said EPA Acting Administrator Andrew Wheeler.**

“This is tremendous news for the people of Baltimore. Continued federal investment in infrastructure is an investment in public health, good jobs and economic stability for our neighborhoods,” **said U.S. Senator Ben Cardin (D-MD).** “Every community has a right to expect that water coming from their tap is safe to drink. I’m proud of our continued effort to make needed upgrades and repairs to drinking and wastewater systems that reduce the burden on consumers.””

“PLACEHOLDER FOR QUOTE,” **said U.S. Senator Chris Van Hollen (D-MD).**

Like many urban centers, the City of Baltimore is facing the immediate challenges of aging wastewater infrastructure. With EPA’s WIFIA loan, the City of Baltimore will complete 1

projects that will include a series of repairs and upgrades across its large wastewater conveyance system, finish upgrades to the Back River Wastewater Treatment Plant, and improvements to its stormwater management system. Together, these projects improve reliability and performance of the city's wastewater infrastructure, reduce polluted runoff and sewage from flowing into the Inner Harbor, and safeguard the significant investments that have been made toward restoring the Chesapeake Bay.

**"PLACEHOLDER FOR QUOTE," said Baltimore Mayor Catherine E. Pugh.**

Baltimore's project is estimated to cost \$942 million. EPA's WIFIA loan will help finance more than twenty percent of that amount—up to \$202 million. Additionally, Maryland Department of the Environment (MDE) will finance approximately \$280.5 million from its Water Quality Revolving Loan Fund and approximately \$47.5 million from the Bay Restoration Grant Fund. The Maryland Water Quality Revolving Loan Fund receives an annual grant from EPA, including nearly \$39 million in 2018. Because both the WIFIA program and the MDE loan program, with their low interest rates, the City is expected to realize significant cost savings. The WIFIA loan alone will save the City up to \$40 million.

**"PLACEHOLDER FOR QUOTE," said Maryland Department of the Environment Secretary Ben Grumbles.**

### Background

Established by the Water Infrastructure Finance and Innovation Act of 2014, the WIFIA program is a federal loan and guarantee program at EPA that aims to accelerate investment in the nation's water infrastructure by providing long-term, low-cost supplemental credit assistance for regionally and nationally significant projects. EPA's WIFIA program plays an important role in [President Trump's Infrastructure Plan](#), which calls for expanding project eligibility. To date, EPA has issued seven loans totaling nearly \$2 billion in WIFIA credit assistance. Combined, these seven projects will create over 6,000 jobs.

On Nov. 1, 2018, EPA [invited 39 projects](#) in 16 states and D.C. to apply for a WIFIA loan. Together, the selected borrowers will receive WIFIA loans totaling approximately \$5 billion that will help finance over \$10 billion in water infrastructure investments and create up to 155,000 jobs.

For more information about the WIFIA program, visit: <https://www.epa.gov/wifia>.

---

<image001.png>



U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004



-----Original Message-----

From: Block, Molly

Sent: Friday, February 22, 2019 11:09 AM

To: Walitsky, Sue (Cardin) <[Sue\\_Walitsky@cardin.senate.gov](mailto:Sue_Walitsky@cardin.senate.gov)>; Frede, Shannon (Cardin) <[Shannon\\_Frede@cardin.senate.gov](mailto:Shannon_Frede@cardin.senate.gov)>; Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>

Subject: RE: WIFIA statement

Thanks so much!

-----Original Message-----

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Sent: Friday, February 22, 2019 11:09 AM

To: Frede, Shannon (Cardin) <[Shannon\\_Frede@cardin.senate.gov](mailto:Shannon_Frede@cardin.senate.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>

Subject: RE: WIFIA statement

Please find a quote from Senator Cardin below. Would much appreciate if you would forward the draft release. Thank you.

"This is tremendous news for the people of Baltimore. Continued federal investment in water infrastructure is an investment in public health, good jobs and economic stability for our neighborhoods," said Senator Cardin. "Every community has a right to expect that water coming from their tap is safe to drink. I'm proud of our continued effort to make needed upgrades and repairs to drinking and wastewater systems that reduce the burden on consumers."

\*\*\*\*\*

SUE WALITSKY

National Communications Director

U.S. Senator Ben Cardin (D-MD)

Ex. 6 Personal Privacy (PP)

 - office  
cell

The information contained in this e-mail should be considered background information and not for attribution or direct quotation unless otherwise indicated.

-----Original Message-----



From: Frede, Shannon (Cardin) <Shannon\_Frede@cardin.senate.gov>  
Sent: Friday, February 22, 2019 9:53 AM  
To: Block, Molly <block.molly@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>;  
Walitsky, Sue (Cardin) <Sue\_Walitsky@cardin.senate.gov>  
Subject: RE: WIFIA statement

Thank you both. Looping our Communications Director, Sue.

-----Original Message-----

From: Block, Molly <block.molly@epa.gov>  
Sent: Friday, February 22, 2019 9:47 AM  
To: Frye, Tony (Robert) <frye.robert@epa.gov>; Frede, Shannon (Cardin)  
<Shannon\_Frede@cardin.senate.gov>  
Subject: RE: WIFIA statement

Thanks Tony!

Shannon -

We would love to include a quote from Senator Cardin in our press release following the event. We currently have a quote from Mayor Pugh and Senator Van Hollen.

Also, we plan on sending a media advisory out on Sunday (24 hours ahead of the event) to invite press to the announcement.

Please let me know if you have any questions!

Molly

-----Original Message-----

From: Frye, Tony (Robert)  
Sent: Friday, February 22, 2019 9:45 AM  
To: Shannon\_Frede@cardin.senate.gov  
Cc: Block, Molly <block.molly@epa.gov>  
Subject: WIFIA statement

Hello Shannon — I hope all is well. Connecting you with Molly to see if your press shop would like to have a statement for the press release. Thanks in advance

Tony

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/24/2019 4:31:55 PM  
**To:** Walitsky, Sue (Cardin) [Sue\_Walitsky@cardin.senate.gov]; Frede, Shannon (Cardin) [Shannon\_Frede@cardin.senate.gov]; Frye, Tony (Robert) [frye.robert@epa.gov]  
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FYI - this just went out:

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**Acting Administrator Wheeler in Baltimore to Discuss Water Infrastructure**

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Credentialed media: please RSVP to [press@epa.gov](mailto:press@epa.gov) for more information.

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On Feb 22, 2019, at 4:44 PM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Ok

---

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
**NEWS RELEASE**  
WWW.EPA.GOV/NEWSROOM

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*WIFIA loan to help finance water infrastructure upgrades that will better protect public health and water quality for 1.8 million Baltimore residents*

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For more information about the WIFIA program, visit: <https://www.epa.gov/wifia>.

---

<image001.png>



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Washington, D.C. 20004



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To: Walitsky, Sue (Cardin) <[Sue\\_Walitsky@cardin.senate.gov](mailto:Sue_Walitsky@cardin.senate.gov)>; Frede, Shannon (Cardin) <[Shannon\\_Frede@cardin.senate.gov](mailto:Shannon_Frede@cardin.senate.gov)>; Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>

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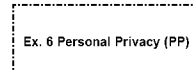
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SUE WALITSKY

National Communications Director

U.S. Senator Ben Cardin (D-MD)

 - office  
cell

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Molly

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From: Frye, Tony (Robert)  
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To: Shannon\_Frede@cardin.senate.gov  
Cc: Block, Molly <block.molly@epa.gov>  
Subject: WIFIA statement

Hello Shannon — I hope all is well. Connecting you with Molly to see if your press shop would like to have a statement for the press release. Thanks in advance

Tony

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 10/31/2018 6:32:51 PM  
**To:** Press [Press@epa.gov]  
**Subject:** RE: Calls for Information: Adverse Effects of Strategies for Attainment and Maintenance of National Ambient Air Quality Standards

I'll handle.

---

**From:** Sean Reilly [mailto:sreilly@eenews.net]  
**Sent:** Wednesday, October 31, 2018 2:31 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Calls for Information: Adverse Effects of Strategies for Attainment and Maintenance of National Ambient Air Quality Standards

Hi folks:

I'm doing a story for tomorrow on the comments received in response to this June 26, 2018 Federal Register notice:  
<https://www.gpo.gov/fdsys/pkg/FR-2018-06-26/pdf/2018-13716.pdf>.

I have two related questions:

- 1) These comments reflect diverse, sometimes conflicting, viewpoints. What is EPA's next immediate step in terms of following up on this call for information?
- 2) How does EPA ultimately intend to incorporate these comments into the ongoing reviews of the ozone and PM NAAQS?

My deadline is 10:30 a.m. tomorrow. I need on-the-record, for-attribution responses if I'm going to use them.

Thanks,  
Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP)

 (Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

**E&E NEWS**

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM



Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 12/18/2018 2:47:07 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Questions from Consumer Reports -- Infiniti fuel economy

Ok

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, December 18, 2018 9:38 AM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Questions from Consumer Reports -- Infiniti fuel economy

Follow-up response from the program. OK to send?

Why did EPA do a chassis test and not also a coast-down test for the QX50?

## Ex. 5 Deliberative Process (DP)

--Isn't it true that the mileage restatements by Ford in 2013 and 2014, and the fines levied on Hyundai and Kia in 2014 occurred after errors in coast-down testing?

## Ex. 5 Deliberative Process (DP)

--Didn't the EPA vow after these cases to do more coast-down testing and release the results to the public? Can you characterize how many of the models tested each year by EPA are chassis tests versus coast-down tests?

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard

Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Jeff Plungis <[jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org)>  
**Sent:** Monday, December 17, 2018 5:53 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Questions from Consumer Reports -- Infiniti fuel economy

That should work. If you could get to me by mid-day that would be helpful.

On Mon, Dec 17, 2018 at 5:15 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Hullo Jeff,

We're very close to a response, but will likely get there tomorrow. Would that work for you?

Cheers, R.

Robert Daguillard

Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Jeff Plungis <[jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org)>  
**Sent:** Friday, December 14, 2018 5:01 PM  
  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Questions from Consumer Reports -- Infiniti fuel economy

Thanks, Robert. Please keep me posted after you have the chance to check in with your people on Monday. --JP

-----  
**Jeff Plungis** Lead Automotive Investigative Reporter Consumer Reports 1101 17th Street NW | Washington DC 20036 (202) 238-9254 | Ex. 6 Personal Privacy (PP)

[jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org) | Twitter @jplungis | [CR.org](http://CR.org)



On Fri, Dec 14, 2018 at 4:43 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Jeff, thanks for your follow-ups. I'm happy to forward your questions to the vehicle test folks. This said, and since we're quite close to the end of the business day, I don't know how much we'll get done this evening. We'll definitely give Monday, end of business, a shot, but any flexibility – i.e., chance you might push that deadline back a bit – would be most welcome. Thanks in advance.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Jeff Plungis <[jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org)>

**Sent:** Friday, December 14, 2018 4:20 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Questions from Consumer Reports -- Infiniti fuel economy

Robert:

We're now looking at publishing the story about the Infiniti QX50 early next week.

In our final edits on the piece, we wanted to be very clear about what happened with the EPA audit on this vehicle. I asked under what circumstances the agency would do a coast-down audit, since in your answer to us you noted the agency had done a chassis test but not the coast-down test. It doesn't appear you answered that question, even though you did spell out in detail the differences between the two tests.

Just to be clear, could you answer these questions:

--Why did EPA do a chassis test and not also a coast-down test for the QX50?

--Isn't it true that the mileage restatements by Ford in 2013 and 2014, and the fines levied on Hyundai and Kia in 2014 occurred after errors in coast-down testing?

--Didn't the EPA vow after these cases to do more coast-down testing and release the results to the public?

--Can you characterize how many of the models tested each year by EPA are chassis tests versus coast-down tests?

Please provide whatever answers you can by close of business Monday, Dec. 17.

---

**Jeff Plungis** Lead Automotive Investigative Reporter Consumer Reports 1101 17th Street NW | Washington DC 20036 (202) 238-9254 | Ex. 6 Personal Privacy (PP) mobile

[jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org) | Twitter [@jplungis](https://twitter.com/jplungis) | [CR.org](http://CR.org)

On Mon, Dec 3, 2018 at 4:15 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Jeff,

Still on background, please:

--When you say EPA audits 15-20 percent of the test vehicles each manufacturer makes available to the agency, do you mean approximately 15-20 percent of models sold in the U.S. each year? Or is the agency only auditing

the results for new models or those that have been significantly redesigned? In other words, if a model is little changed from the previous model year, does the agency see a need to test it?

**EPA conducts its own testing on 15-20 percent of models per year. Typically we do more testing on newly designed models since they are truly new. However, we take a variety of information into account when we make decisions about the vehicles we audit, and we do not just audit newly redesigned vehicles.**

--A 2014 fact sheet from EPA estimates the agency has audited around 150-200 models a year. Is that still an accurate estimate?

**It is an accurate number for 2014.**

--You say with regards to the QX50, EPA did a chassis test but not a coast-down audit. Can you explain the difference? Under what circumstances does the agency conduct a coast-down audit?

**A chassis test measures tailpipe emissions as a car is driven through a prescribed driving cycle on a chassis dynamometer. For the emissions measurements to be accurate, the dynamometer must be loaded to simulate the forces the car would experience if it were being driven outside on a road. Thus before a vehicle undergoes a chassis test, the dynamometer settings are adjusted to account for the effect of real-world factors such as road friction on that vehicle. A coast down test is used to quantify those forces for any given vehicle. It basically measures how long it takes to go from 70 mph to 10 mph on an open road with very little wind. The result of coast down testing is an essential input into the dynamometer testing (aka chassis test) that is done in the laboratory. If the coast down testing is off, then the results of chassis testing can also be off, particularly for fuel economy and greenhouse gas emissions labeling. Thus, we audit manufacturer road load as well as chassis testing results as well as manufacturer chassis testing results.**

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Jeff Plungis <[jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org)>  
**Sent:** Friday, November 30, 2018 10:14 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Questions from Consumer Reports -- Infiniti fuel economy

It's for the original story, now in editing.

On Fri, Nov 30, 2018 at 10:09 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Jeff and thanks for reaching out,

Let me get this started for you. Are you still working on the story for which you originally got in touch? Or is this a follow-up piece?

Cheers, R.

Robert:

A couple of follow-up questions:

--When you say EPA audits 15-20 percent of the test vehicles each manufacturer makes available to the agency, do you mean approximately 15-20 percent of models sold in the U.S. each year? Or is the agency only auditing the results for new models or those that have been significantly redesigned? In other words, if a model is little changed from the previous model year, does the agency see a need to test it?

--A 2014 fact sheet from EPA estimates the agency has audited around 150-200 models a year. Is that still an accurate estimate?

--You say with regards to the QX50, EPA did a chassis test but not a coast-down audit. Can you explain the difference? Under what circumstances does the agency conduct a coast-down audit?

---

**Jeff Plungis** Lead Automotive Investigative Reporter Consumer Reports 1101 17th Street NW |  
Washington DC 20036 (202) 238-9254 | Ex. 6 Personal Privacy (PP) mobile

On Wed, Nov 21, 2018 at 11:51 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Jeff,

On background – i.e., for attribution to U.S. EPA, please:

-- Has EPA audited Infiniti's self-reported mpg values for the QX50? Is there any discrepancy between EPA's test results and those of the company?

**EPA did conduct a chassis test of the Infiniti QX50 but did not conduct a coast down audit. The Agency's testing did observe a more than 15% difference between testing in standard mode and sport mode. The vehicle FE label is based on operation in standard mode.**

-- Infiniti is promoting the QX50 as having best-in-class fuel economy, while our tests show it is among the worst-in-class. What's the agency's reaction to our results?

**EPA takes seriously reported discrepancies in fuel economy estimates and appreciates CR raising this to our attention. We cannot comment specifically on the discrepancy CR has found here without first knowing more about CR's testing and further investigation.**

-- What percentage of self-reported vehicle mileage estimates are audited by the EPA? What happens if there is a discrepancy? How often do the agency's audits result in a change in the automakers' self-reported estimates?

**We audit 15-20% of the test vehicles manufacturers are required to make available to EPA. Where EPA conducts an audit, the EPA test results become the official results for the vehicle. The majority of EPA's fuel economy test results are within 3% of the manufacturer submissions. If a single manufacturer routinely has results that differ by more than 3%, we increase the audit rate of vehicles from that specific manufacturer.**

-- This testing anomaly, along with the recent history involving Ford, Hyundai and Kia, raises concerns about the system that allows manufacturers to self-report their test results with only a small number of models being audited by EPA. Has the agency considered auditing more models to ensure consumers have confidence in the values that appear on window stickers in the showroom?

**EPA shifts our oversight testing resources between a wide range of oversight responsibilities based on our assessment of likely noncompliance risk and in a manner that may be unpredictable to manufacturers. This includes not only passenger car fuel economy testing audits but also passenger car and heavy-truck defeat device testing and a wide range of engine testing of nonroad equipment. If we see a greater risk of fuel economy discrepancies we may shift resources among these testing programs.**

Happy Thanksgiving.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

**From:** Jeff Plungis <[jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org)>

**Sent:** Tuesday, November 20, 2018 9:33 AM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Questions from Consumer Reports -- Infiniti fuel economy

Robert:

Consumer Reports conducts regular fuel-economy tests as part of its overall evaluation of every vehicle we purchase. As part of our evaluation of the Infiniti QX50, we have found a sizable discrepancy between our testing and the EPA results.

Our on-road testing has two parts. On the highway, we drive at a steady 65 mph, which generally results in a higher mileage value than the EPA's highway test. At our test track, we conduct a course of simulated city driving which typically results in a lower value than the EPA's. We have strict controls on ambient conditions and correct for any difference in temperature. Nearly two-



thirds of the vehicles we test get within 1 mpg of their EPA window-sticker values. More than 85 percent are within 2 mpg.

In our on-road testing, we recorded 22 mpg overall in our AWD QX50 test vehicle which is 4 mpg below the EPA estimate of 26 mpg. The 4 mpg gap represents over a 15 percent shortfall of the advertised EPA number, the largest percent deficit we have seen in recent years.

Our findings on Infiniti come after other fuel-economy reporting errors that have led to restatements, customer refunds and civil penalties. In 2013, after Consumer Reports found large differences in real-world performance and EPA estimates, Ford restated mileage for several hybrid models and offered customers a rebate to compensate for unexpected fuel costs. In 2014, Hyundai and Kia agreed to pay a \$100 million fine for overstating mileage on 12 different models.

Here are some questions for the EPA. To be included in our story, we need your responses by no later than Wednesday, Nov. 21 at 5 p.m. If for any reason you need more time for a complete response, please let me know as soon as possible.

-- Has EPA audited Infiniti's self-reported mpg values for the QX50? Is there any discrepancy between EPA's test results and those of the company?

-- Infiniti is promoting the QX50 as having best-in-class fuel economy, while our tests show it is among the worst-in-class. What's the agency's reaction to our results?

-- What percentage of self-reported vehicle mileage estimates are audited by the EPA? What happens if there is a discrepancy? How often do the agency's audits result in a change in the automakers' self-reported estimates?

-- This testing anomaly, along with the recent history involving Ford, Hyundai and Kia, raises concerns about the system that allows manufacturers to self-report their test results with only a small number of models being audited by EPA. Has the agency considered auditing more models to ensure consumers have confidence in the values that appear on window stickers in the showroom?

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**Jeff Plungis** Lead Automotive Investigative Reporter Consumer Reports 1101 17th Street NW |  
Washington DC 20036 (202) 238-9254 | Ex. 6 Personal Privacy (PP) mobile

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 10/31/2018 5:11:55 PM  
**To:** Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW: Bloomberg (David Schultz) RE: Lead and Copper Workgroup (11/2)

Ok. And **Ex. 5 Deliberative Process (DP)**

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**From:** Lynn, Tricia  
**Sent:** Wednesday, October 31, 2018 1:09 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Bloomberg (David Schultz) RE: Lead and Copper Workgroup (11/2)

Reporter is asking about EPA's plans to consider launching a National Compliance Initiative that would focus on bringing public water systems in compliance with the lead and copper rule. David Schultz, Bloomberg.

NOTE: He'll likely demand a name for attribution and otherwise use mine. Who should I tell him to use if he asks?

**Suggested Response:**

## **Ex. 5 Deliberative Process (DP)**

On background:

## **Ex. 5 Deliberative Process (DP)**

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**From:** Schultz, David [mailto:dSchultz@bloombergenvironment.com]  
**Sent:** Friday, October 26, 2018 4:42 PM  
**To:** Lieberman, Paige <Lieberman.Paige@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>  
**Subject:** Lead in drinking water NCI

Hello Paige & Allison,

Hope you're both doing well. I'm emailing because I saw in a recent [bulletin](#) from OECA that EPA is considering launching a National Compliance Initiative that would focus on bringing public water systems in compliance with the lead and copper rule (see page 5 of the bulletin).

I wanted to see if you could provide me with more info on this. The bulletin said that EPA launched a national workgroup last month to look into this. When is this workgroup meeting? Who sits on it? Are there any meetings of the workgroup coming up that are open to the public?

Thanks for your help. Let me know if you have any other questions about what I'm looking into.

David

**David Schultz**  
Reporter  
**Bloomberg Environment**

703.341.3696

[dschultz@bloombergenvironment.com](mailto:dschultz@bloombergenvironment.com)

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/22/2019 9:13:49 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: For Review- Capital & Main - Financial assurance

Ok

Sent from my iPhone

On Feb 22, 2019, at 4:11 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

From the program: OK to send?

## Ex. 5 Deliberative Process (DP)

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** Daniel Ross <dross1@gm.slc.edu>  
**Date:** February 21, 2019 at 5:54:26 PM EST  
**To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Financial assurance

Great - thanks Robert.

So, just so I understand, and explain accurately in the story: the audit findings in that Excel spreadsheet came about as a result of this OIG investigation?

Cheers,

Dan

On Thu, Feb 21, 2019 at 6:31 AM Daguillard, Robert  
<Daguillard.Robert@epa.gov> wrote:

Good morning Dan,

For attribution to U.S. EPA, please:

The effort to improve financial assurance data quality was prompted by an Office of Inspector General report (report located online at: <https://www.epa.gov/sites/production/files/2016-03/documents/20160331-16-p-0126.pdf>) issued in 2016.

EPA's public response to that report can be read online at: [https://www.epa.gov/sites/production/files/2016-06/documents/epa\\_oig\\_16-p-0126\\_agency\\_response-memo-oeca-and-olem.pdf](https://www.epa.gov/sites/production/files/2016-06/documents/epa_oig_16-p-0126_agency_response-memo-oeca-and-olem.pdf)

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguiard, Robert  
**Sent:** Tuesday, February 19, 2019 1:57 PM  
**To:** Daniel Ross <[dross1@gm.slc.edu](mailto:dross1@gm.slc.edu)>  
**Subject:** RE: Financial assurance

Hullo Dan,

We're following up on this for you. I hope to have a response for you soon. When are you planning to publish?

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Daniel Ross <[dross1@gm.slc.edu](mailto:dross1@gm.slc.edu)>

**Sent:** Friday, February 15, 2019 7:27 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Cc:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** Re: Financial assurance

Hi --

I understand that Tricia no longer works at the communications office. And so, I'm just following up on my earlier questions. Tricia mentioned the answers would be ready today?

Cheers,

Dan

On Wed, Feb 13, 2019 at 7:43 AM Daniel Ross <[dross1@gm.slc.edu](mailto:dross1@gm.slc.edu)> wrote:

Thanks Tricia -- big help. Thanks.

Just to make sure, when you say they're planning to have responses for all by the end of the week, you mean both the old questions and the new set, right?

Dan

On Wed, Feb 13, 2019 at 7:40 AM Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Hi Dan—

I did receive the additional questions and passed them on. At this point they're planning on responding in writing, though I don't think they'd gotten to the additional questions yet, so that could change. As far as I'm aware, they're planning to have responses for all by the end of the week.

Hope this helps!

--Tricia

**From:** Daniel Ross <[dross1@gm.slc.edu](mailto:dross1@gm.slc.edu)>  
**Sent:** Wednesday, February 13, 2019 10:38 AM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Re: Financial assurance

Hi Tricia --

Apologies for pestering - just wanted to make sure you received the extra questions sent yesterday. Was also wondering the likelihood of getting answers back by the end of the week - or the likelihood of chatting with someone in person. Would be so much easier to do the latter (if possible).

Cheers,



Dan

On Tue, Feb 12, 2019 at 1:27 PM Daniel Ross <[dross1@gm.slc.edu](mailto:dross1@gm.slc.edu)> wrote:

Hi Tricia --

Ok, so, here are the other questions I have, related to the audit (as you can see, due to their granularity, might be easier to chat with someone in person). Ideally, I'd love an answer to these questions, along with the others, by the end of the week:

- Are there similar such audits for all other states (or EPA regions)?
- Did the EPA make any recommendations to the DTSC in regards the audit findings?

In regards the Excel spreadsheet (of the audit):

For the tab labeled "Report Information."

- What differentiates the 264 total facilities from the 120 facilities that require financial assurance (FA)?
- Why would a cost estimate be performed on a facility that wouldn't require FA?

For the tab labeled "Insufficient FA."

- What is meant specifically by "face value amount"?

- I've calculated that, of these 6 facilities, there's insufficient FA amounting to \$36,403,928. Is that correct?

- And therefore, would it be accurate to say that there is a "short-fall" of more than \$36 million, at least, in the amount of FA required at California's hazardous waste facilities?

- If so, what are the potential consequences from that? Will the taxpayer potentially be liable for making up that difference?

- Why is the face value amount, in these cases, lower than the cost estimate?

For the tab "Facilities that Require Financial Assurance but do not have Cost Estimates"

- These 20 facilities are evidently ones that require FA. Why haven't cost estimates been performed?

- What are the potential consequences from these facilities lacking cost estimates and FA?

- Because these facilities haven't had cost estimates performed (and therefore, don't have FA's on file), will the insufficient FA amount potentially be larger than the \$36 million plus figure, and possibly much larger?

For the tab "FA Mechanism Expired"

- What are the potential risks from an expired FA mechanism?

Sincerely,

Dan

On Tue, Feb 12, 2019 at 11:35 AM Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Sounds good. I'll look for your email.

Thanks,

Tricia

**From:** Daniel Ross <[dross1@gm.slc.edu](mailto:dross1@gm.slc.edu)>  
**Sent:** Tuesday, February 12, 2019 2:33 PM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Re: Financial assurance

Kind of sort of. It would certainly help.

But, you know what, I'll actually frame some of the follow up questions today, and send a little later. I'm running a bit tight on time, and really want to dig into this audit properly, so, probably best to have as much to you as soon as possible.

Dan

On Tue, Feb 12, 2019 at 11:21 AM Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Thanks for asking, Dan. I'll check with them about the possibility of an interview, though we'd need your (follow-up) questions in order to determine whether an interview is best. I assume you can't provide them until you've received the response to your first set of questions. Is that correct?

Thanks again,

Tricia

**From:** Daniel Ross <[dross1@gm.slc.edu](mailto:dross1@gm.slc.edu)>  
**Sent:** Tuesday, February 12, 2019 1:43 PM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Re: Financial assurance

Hi Tricia --

In regards to possibly speaking with someone, should I contact the Land & Emergency Management office directly?

Dan

On Tue, Feb 12, 2019 at 7:26 AM Daniel Ross <[dross1@gm.slc.edu](mailto:dross1@gm.slc.edu)> wrote:

Hi Tricia --

Thanks for getting back to me. Appreciated.

And yes, I am very much in need of the answers. Ideally, by the end of the week, if possible.

I'll also have follow up questions, digging into the information included in the audit, to make sure I've interpreted the data correctly. Do you think it would be possible to chat with someone directly? If so, could that be arranged before the 20th of this month?

Thanks

Dan

On Tue, Feb 12, 2019 at 6:16 AM Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Hi Dan—

I've received your inquiry, below, and am planning to work with our Land & Emergency Management office to try to get answers for you if you still need them. Can you please let me know if you're still looking for the information and, if so, what your new deadline is?

Thanks so much,

Tricia

---

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

**From:** Daniel Ross [<mailto:dross1@gm.slc.edu>]  
**Sent:** Tuesday, February 05, 2019 10:57 AM  
**To:** Edmondson, Russ@DTSC <[Russ.Edmondson@dtsc.ca.gov](mailto:Russ.Edmondson@dtsc.ca.gov)>  
**Subject:** Financial assurance

Hi Russ --

This is Dan Ross, a reporter with Capital & Main. Hope this finds you well.

I'm working on a story looking at financial assurance. In my research, I've been provided with the attached Excel spreadsheet, broadly detailing a number of hazardous waste facilities where their financial assurance is found lacking. I was wondering:

- Why was the audit conducted? And who conducted it?
- Is this the most up-to-date such audit of hazardous waste facilities and their financial assurance situation? If there's one more current, can I see it?
- Is this audit complete? Is there information missing from it?
- Will another such audit be conducted in the future?

If possible, could I have this information by the end of this week?

Sincerely,

Dan Ross

(323) 482 8911

@1danross

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/6/2019 10:57:17 PM  
**To:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For approval: Superfund remedies

Ok

---

**From:** Sauerhage, Maggie  
**Sent:** Wednesday, March 6, 2019 5:53 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For approval: Superfund remedies

For approval to send to BNA, approved by Steven Cook and Barry Breen:

**Inquiry from Sylvia Carignan:**

This morning (*at Monday's Superfund event*), Administrator Wheeler said "I don't foresee any particular guidance coming forth" regarding adaptive management at Superfund sites. Has the agency decided not to issue the guidance you said last month was under development?

**Response:**

## Ex. 5 Deliberative Process (DP)

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

---

**From:** Sauerhage, Maggie  
**Sent:** Monday, March 04, 2019 1:42 PM  
**To:** 'scarignan@bloombergenvironment.com' <scarignan@bloombergenvironment.com>  
**Cc:** Press <Press@epa.gov>; Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Subject:** RE: Superfund remedies

Hi Sylvia,

We'll look into this for you.

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency



---

**From:** [scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com) <[scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)>  
**Sent:** Monday, March 04, 2019 1:33 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Superfund remedies

Hi Robert – A follow-up question regarding this inquiry:

This morning, Administrator Wheeler said “I don’t foresee any particular guidance coming forth” regarding adaptive management at Superfund sites. Has the agency decided not to issue the guidance you said last month was under development?

My deadline for this is tomorrow at 4 p.m. Thanks.

---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]  
**Sent:** Friday, February 15, 2019 4:02 PM  
**To:** Carignan, Sylvia <[scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Superfund remedies

Sylvia, for attribution to “an EPA Spokesperson, please:”

**AROW [Alliance to Restore Our Waterways] is advocating for a specific remedy at all sediment sites. In this remedy, (1) hot spots are removed, (2) moderately contaminated areas are capped, and (3) remaining contamination is left to monitored natural attenuation. Is the EPA planning to recommend that specific approach in its forthcoming guidance about adaptive management?**

Given that this is guidance is still under development, it is premature for EPA to comment at this time. Please note, per EPA’s working definition, adaptive management is a project management approach that has potential applications at a number of large and complex Superfund sites. Adaptive management does not prescribe remediation strategies.

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

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 (M)  
202-564-6618 (O)

On Feb 15, 2019, at 8:31 AM, "[scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)" <[scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)> wrote:

Hi all – I realize yesterday was a busy day; just highlighting my deadline today on this. Thanks.

---

**From:** Carignan, Sylvia  
**Sent:** Thursday, February 14, 2019 1:29 PM

**To:** 'Press' <[Press@epa.gov](mailto:Press@epa.gov)>  
**Cc:** 'Lynn, Tricia' <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Superfund remedies

Hi all,

Hope you're doing well. I'm continuing to work on a story about the Alliance to Restore our Waterways, and I have a few additional questions.

AROW is advocating for a specific remedy at all sediment sites. In this remedy, (1) hot spots are removed, (2) moderately contaminated areas are capped, and (3) remaining contamination is left to monitored natural attenuation.

--Is the EPA planning to recommend that specific approach in its forthcoming guidance about adaptive management?

AROW has also advocated for some changes to the Superfund program that have become recommendations for the Superfund task force.

--What does EPA anticipate including in the Superfund task force final report this year?

My deadline for these questions is tomorrow at 4 p.m. Please let me know when this is received.

Thanks,  
Sylvia

[illegible]

**Sylvia Carignan**  
Reporter, Superfund and Waste

**Bloomberg BNA**  
1801 S Bell St, Arlington VA 22202

Direct 703-341-3708  
scarignan@bloombergenvironment.com

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 12/3/2018 9:08:53 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Questions from Consumer Reports -- Infiniti fuel economy

Ok

---

**From:** Daguillard, Robert  
**Sent:** Monday, December 3, 2018 3:37 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Questions from Consumer Reports -- Infiniti fuel economy

Follow-up response from the program. The story appears not to have published yet. OK to send?

--When you say EPA audits 15-20 percent of the test vehicles each manufacturer makes available to the agency, do you mean approximately 15-20 percent of models sold in the U.S. each year? Or is the agency only auditing the results for new models or those that have been significantly redesigned? In other words, if a model is little changed from the previous model year, does the agency see a need to test it?

## Ex. 5 Deliberative Process (DP)

--A 2014 fact sheet from EPA estimates the agency has audited around 150-200 models a year. Is that still an accurate estimate?

### Ex. 5 Deliberative Process (DP)

--You say with regards to the QX50, EPA did a chassis test but not a coast-down audit. Can you explain the difference? Under what circumstances does the agency conduct a coast-down audit?

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency

Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguillard, Robert  
**Sent:** Friday, November 30, 2018 10:16 AM  
**To:** 'Jeff Plungis' <jeff.plungis@consumer.org>  
**Subject:** RE: Questions from Consumer Reports -- Infiniti fuel economy

Got it. What's your deadline and the planned publication date? You mentioned you wanted publication to coincide with the L.A. Auto Show, IIRC.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Jeff Plungis <jeff.plungis@consumer.org>  
**Sent:** Friday, November 30, 2018 10:14 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Questions from Consumer Reports -- Infiniti fuel economy

Robert:

A couple of follow-up questions:

--When you say EPA audits 15-20 percent of the test vehicles each manufacturer makes available to the agency, do you mean approximately 15-20 percent of models sold in the U.S. each year? Or is the agency only auditing the results for new models or those that have been significantly redesigned? In other words, if a model is little changed from the previous model year, does the agency see a need to test it?

--A 2014 fact sheet from EPA estimates the agency has audited around 150-200 models a year. Is that still an accurate estimate?

--You say with regards to the QX50, EPA did a chassis test but not a coast-down audit. Can you explain the difference? Under what circumstances does the agency conduct a coast-down audit?

---

Jeff Plungis Lead Automotive Investigative Reporter Consumer Reports 1101 17th Street NW | Washington DC 20036 (202) 238-9254 | Ex. 6 Personal Privacy (PP) mobile

On Wed, Nov 21, 2018 at 11:51 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning Jeff,

On background – i.e., for attribution to U.S. EPA, please:

-- Has EPA audited Infiniti's self-reported mpg values for the QX50? Is there any discrepancy between EPA's test results and those of the company?

**EPA did conduct a chassis test of the Infiniti QX50 but did not conduct a coast down audit. The Agency's testing did observe a more than 15% difference between testing in standard mode and sport mode. The vehicle FE label is based on operation in standard mode.**

-- Infiniti is promoting the QX50 as having best-in-class fuel economy, while our tests show it is among the worst-in-class. What's the agency's reaction to our results?

**EPA takes seriously reported discrepancies in fuel economy estimates and appreciates CR raising this to our attention. We cannot comment specifically on the discrepancy CR has found here without first knowing more about CR's testing and further investigation.**

-- What percentage of self-reported vehicle mileage estimates are audited by the EPA? What happens if there is a discrepancy? How often do the agency's audits result in a change in the automakers' self-reported estimates?

**We audit 15-20% of the test vehicles manufacturers are required to make available to EPA. Where EPA conducts an audit, the EPA test results become the official results for the vehicle. The majority of EPA's fuel economy test results are within 3% of the manufacturer submissions. If a single manufacturer routinely has results that differ by more than 3%, we increase the audit rate of vehicles from that specific manufacturer.**

-- This testing anomaly, along with the recent history involving Ford, Hyundai and Kia, raises concerns about the system that allows manufacturers to self-report their test results with only a small number of models being audited by EPA. Has the agency considered auditing more models to ensure consumers have confidence in the values that appear on window stickers in the showroom?

**EPA shifts our oversight testing resources between a wide range of oversight responsibilities based on our assessment of likely noncompliance risk and in a manner that may be unpredictable to manufacturers. This includes not only passenger car fuel economy testing audits but also passenger car and heavy-truck defeat device testing and a wide range of engine testing of nonroad equipment. If we see a greater risk of fuel economy discrepancies we may shift resources among these testing programs.**

Happy Thanksgiving.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

**From:** Jeff Plungis <[jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org)>

**Sent:** Tuesday, November 20, 2018 9:33 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Questions from Consumer Reports -- Infiniti fuel economy

Robert:

Consumer Reports conducts regular fuel-economy tests as part of its overall evaluation of every vehicle we purchase. As part of our evaluation of the Infiniti QX50, we have found a sizable discrepancy between our testing and the EPA results.

Our on-road testing has two parts. On the highway, we drive at a steady 65 mph, which generally results in a higher mileage value than the EPA's highway test. At our test track, we conduct a course of simulated city driving which typically results in a lower value than the EPA's. We have strict controls on ambient conditions and correct for any difference in temperature. Nearly two-thirds of the vehicles we test get within 1 mpg of their EPA window-sticker values. More than 85 percent are within 2 mpg.

In our on-road testing, we recorded 22 mpg overall in our AWD QX50 test vehicle which is 4 mpg below the EPA estimate of 26 mpg. The 4 mpg gap represents over a 15 percent shortfall of the advertised EPA number, the largest percent deficit we have seen in recent years.

Our findings on Infiniti come after other fuel-economy reporting errors that have led to restatements, customer refunds and civil penalties. In 2013, after Consumer Reports found large differences in real-world performance and EPA estimates, Ford restated mileage for several hybrid models and offered customers a rebate to compensate for unexpected fuel costs. In 2014, Hyundai and Kia agreed to pay a \$100 million fine for overstating mileage on 12 different models.

Here are some questions for the EPA. To be included in our story, we need your responses by no later than Wednesday, Nov. 21 at 5 p.m. If for any reason you need more time for a complete response, please let me know as soon as possible.

-- Has EPA audited Infiniti's self-reported mpg values for the QX50? Is there any discrepancy between EPA's test results and those of the company?

-- Infiniti is promoting the QX50 as having best-in-class fuel economy, while our tests show it is among the worst-in-class. What's the agency's reaction to our results?

-- What percentage of self-reported vehicle mileage estimates are audited by the EPA? What happens if there is a discrepancy? How often do the agency's audits result in a change in the automakers' self-reported estimates?

-- This testing anomaly, along with the recent history involving Ford, Hyundai and Kia, raises concerns about the system that allows manufacturers to self-report their test results with only a small number of models being audited by EPA. Has the agency considered auditing more models to ensure consumers have confidence in the values that appear on window stickers in the showroom?

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**Jeff Plungis** Lead Automotive Investigative Reporter Consumer Reports 1101 17th Street NW | Washington DC 20036 (202) 238-9254 | Ex. 6 Personal Privacy (PP) mobile



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**Jeff Plungis** Lead Automotive Investigative Reporter Consumer Reports 1101 17th Street NW | Washington DC 20036 (202) 238-9254 | [jeff.plungis@consumer.org](mailto:jeff.plungis@consumer.org) | Twitter @jplungis | [CR.org](http://CR.org)

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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 10/25/2018 4:30:09 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: For Review: ABC News - glyphosate

Yupp

Sent from my iPhone

On Oct 25, 2018, at 12:26 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Sorry, Molly: I assume it's OK to send, since Nancy Beck has reviewed and approved?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Daguillard, Robert  
**Sent:** Thursday, October 25, 2018 11:50 AM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: For Review: ABC News - glyphosate

Yes indeed.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

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 (M)  
202-564-6618 (O)

On Oct 25, 2018, at 11:25 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Nancy Beck approved?

---

**From:** Daguillard, Robert  
**Sent:** Thursday, October 25, 2018 11:09 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** For Review: ABC News - glyphosate

Follow-up response from the program:

1.

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

2.

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
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Ex. 6 Personal Privacy (PP) (M)

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**From:** Jackson, Anna X. -ND [<mailto:Anna.X.Jackson.-ND@abc.com>]  
**Sent:** Monday, October 22, 2018 3:57 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: glyphosate

Thank you!

I looked at the site you sent that shows 30 parts per million. Is there a totally daily recommendation? Why are there different recommendations of safety levels for different foods? Thanks!

Anna

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Monday, October 22, 2018 2:50 PM  
**To:** Jackson, Anna X. -ND <[Anna.X.Jackson.-ND@abc.com](mailto:Anna.X.Jackson.-ND@abc.com)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: glyphosate

Good afternoon Dr. Jackson,

EPA's review of available data does not support recent claims that glyphosate, the active ingredient of Round up, found in cereal (and other foods containing commodities like wheat and oat) is cause for concern – **EPA Spokesperson.**

**On background (for attribution to the Agency, please):** A tolerance has been established for residues of glyphosate at 30 parts per million (ppm) for cereal grains (a crop group that includes oats).

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Jackson, Anna X. -ND [<mailto:Anna.X.Jackson.-ND@abc.com>]  
**Sent:** Monday, October 22, 2018 12:30 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** glyphosate

Hello,

My name is Anna, and I am writing from the ABC news medical unit. I was reviewing an article on glyphosate in food, and wanted to see what the legal limit was in oats and the recommendation for daily consumption overall. Thank you so much, and I look forward to hearing from you.

Warmly,

Anna Jackson, MD

Resident ABC News Medical Unit

Call 7066273510

Personal Email **Ex. 6 Personal Privacy (PP)**

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/4/2018 3:08:11 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Subject: Press Inquiry—glyphosate

Yes

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, September 4, 2018 11:08 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Subject: Press Inquiry—glyphosate

Ex. 5 Deliberative Process (DP)

OK

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Edward Smith [mailto:edward@thebusinessjournal.com]  
**Sent:** Tuesday, September 04, 2018 10:45 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Subject: Press Inquiry—glyphosate

Hey Robert, can we still get someone to talk about the herbicide?

On Aug 17, 2018, at 1:20 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon,

For attribution to “an EPA Spokesperson,” please,

As stated in our [December 2017 announcement](#), EPA’s draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency’s scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA’s human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our [Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential](#).

Also, for information on the way EPA sets pesticide tolerances: <https://www.epa.gov/pesticide-tolerances/setting-tolerances-pesticide-residues-foods>

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Edward Smith <[edward@thebusinessjournal.com](mailto:edward@thebusinessjournal.com)>

**Date:** August 17, 2018 at 9:59:29 AM PDT

**To:** [zito.kelly@epa.gov](mailto:zito.kelly@epa.gov)

**Subject:** Press Inquiry—glyphosate

Hello Kelly,

My name is Edward and I'm a reporter with the Business Journal in Fresno. I'm working on a story following the Roundup ruling earlier this week and I was wondering if the EPA is going to be reevaluating glyphosate following the court's decision. I'm working on a deadline of about Tuesday, is there anyway you'd be able to answer some questions, my phone number is 559-490-3448,

Thanks!

**Edward Smith**

Researcher

<image001.png>

Pacific Publishing Group | 1315 Van Ness Ave. #200 | Fresno, CA 93721

Direct: 

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 Office: (559) 490-3400 | [edward@thebusinessjournal.com](mailto:edward@thebusinessjournal.com)

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**Edward Smith**

Researcher

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/1/2019 8:20:07 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: WSJ - Inquiry on glyphosate

Ok. But when you send it no need to include the quotation marks.

---

**From:** Daguillard, Robert  
**Sent:** Friday, March 1, 2019 3:16 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: WSJ - Inquiry on glyphosate

## Ex. 5 Deliberative Process (DP)

Good to send?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <Jacob.Bunge@wsj.com>  
**Sent:** Thursday, February 28, 2019 5:36 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Inquiry on glyphosate

Robert, following up on this -- the response below lays out the EPA's process and criteria for considering studies and research as part of the pesticide registration process, but it doesn't speak to the question of how the EPA has considered these allegations by the plaintiffs' lawyers over the past couple of years that Monsanto's scientists played an inappropriate role in reviewing and editing a handful of studies into this subject. I was curious whether the EPA has responded to those assertions:

> I wanted to understand how the EPA considers this sort of involvement in the context of reviewing the scientific literature for the re-registration process, why these assertions by the plaintiffs' attorneys are or are not a concern, and whether the EPA has inquired further about the company's involvement in scientific research that's considered as part of the regulatory review process for this product.

I looked through the documents linked at the bottom of your email, but haven't yet been able to see if this is addressed. If I'm missing it please let me know, and I will look further myself.

Thanks,

Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)  
[@jacobbunge](#)

On Tue, Feb 26, 2019 at 2:52 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Jacob, for attribution to “an EPA Spokesperson,” please:

“The Federal Insecticide, Fungicide and Rodenticide Act requires that pesticide manufacturers conduct and submit to EPA studies to support registration, registration review, and reregistration decisions. Congress placed this obligation on the pesticide manufacturer rather than requiring EPA to develop and fund such data development. The required data provide a wide range of information and include the following: product chemistry, product performance, studies that determine hazard to humans and domestic animals, studies that determine hazard to non-target organisms, post-application exposure studies, applicator/user exposure studies, pesticide spray drift studies, environmental fate, and residue chemistry studies.

EPA has practices in place and enforcement policies to help ensure that registrant-developed data represent sound science. For example, EPA developed an extensive set of guidelines that applicants and registrants use in developing required data. Laboratories must conduct required studies in accordance with Good Laboratory Practices (GLP) to ensure data quality and integrity. EPA’s Office of Enforcement and Compliance Assurance (OECA) periodically inspects labs that conduct required studies to ensure that labs are in compliance with GLP. Once studies are submitted to the Agency, EPA scientists review studies to ensure that the design of the study is appropriate and that the data are collected and analyzed accurately.

In addition to registrant-submitted studies, EPA scientists review pesticide studies from peer-reviewed scientific journals and data from a wide variety of sources when they are available. In doing so, agency scientists identify hazards and characterize risks using the best data available for their review. EPA’s criteria for evaluating open literature data for both human health and ecological risk assessments are available on the EPA’s website. See <https://www.epa.gov/pesticide-registration/understanding-science-behind-epas-pesticide-decisions> for information on Understanding the Science behind EPA’s Pesticide Decisions, especially the subsections, “When EPA Receives New Studies” and “Transparency and Scientific Integrity.”

The Freedom of Information Act is the means through which the public can gain access to registrant-submitted studies and EPA’s review of those studies.



EPA's cancer evaluation for glyphosate included studies submitted to the Agency and relevant studies from the open literature. See <https://www.regulations.gov/document?D=EPA-HQ-OPP-2009-0361-0086> for a bibliography of studies submitted by glyphosate registrants and reviewed by EPA. More information on how the studies were identified and evaluated can be found in the revised glyphosate issue paper (<https://www.regulations.gov/document?D=EPA-HQ-OPP-2009-0361-0073>) and <https://www.regulations.gov/document?D=EPA-HQ-OPP-2009-0361-0067>

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>

**Sent:** Friday, February 22, 2019 2:40 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Re: Inquiry on glyphosate

Thanks, I'll check in with you then

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Fri, Feb 22, 2019 at 1:38 PM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good afternoon Jacob,

So, I'm off to a doctor's appointment shortly. I don't expect we'll be getting back to you today. Monday is probably more likely, but why don't we raincheck our chat till then?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>

**Sent:** Friday, February 22, 2019 2:19 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Inquiry on glyphosate

Robert, can we follow up on this today?

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL

312 750 4117 (office)

Ex. 6 Personal Privacy (PP) (mobile)

[jacob.bunge@wsj.com](mailto:jacob.bunge@wsj.com)

@jacobbunge

On Tue, Feb 19, 2019 at 11:10 AM Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)> wrote:

That should work, thanks.

-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  

Ex. 6 Personal Privacy (PP)

 (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Tue, Feb 19, 2019 at 11:03 AM Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Jacob. Let's shoot for 3 PM Eastern, then?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)>  
**Sent:** Tuesday, February 19, 2019 11:59 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Inquiry on glyphosate

Thanks. Right now I am tied up from 2-2:30 your time, but otherwise free, at the office number below.

-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL

312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
Jacob.bunge@wsj.com

@jacobbunge

On Tue, Feb 19, 2019 at 10:58 AM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good morning Jacob,

Yes, I can talk to you today. But I must make it very clear I won't be giving you comments for publication, whether on the record, or on background. I really just want to get a better understanding of your ask, of your bigger story (are you, for instance, referencing the ongoing Monsanto litigation in California, etc).

Once I have all that, we'll be in a much better position to work on a response for you.

Let me know if there's a time that works for you this afternoon.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Bunge, Jacob <Jacob.Bunge@wsj.com>  
**Sent:** Tuesday, February 19, 2019 11:54 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Inquiry on glyphosate

Robert, can you talk on this today?

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Fri, Feb 15, 2019 at 4:27 PM Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)> wrote:

Hi Robert, good to hear from you. I'm back in the office on Tuesday, if there's a time that works on your end that day.

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) (mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Fri, Feb 15, 2019 at 4:26 PM Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Good afternoon Jacob,

Why don't we touch base early next week, maybe Tuesday?

Robert Daguiard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Feb 15, 2019, at 5:23 PM, Bunge, Jacob <[Jacob.Bunge@wsj.com](mailto:Jacob.Bunge@wsj.com)> wrote:

Maggie, thanks for your response, and sorry for the delay getting back to you on this. I have been pulled into a couple other articles in the meantime.

My question relates to the EPA's assessment of glyphosate in the context of the internal company communications that have been disseminated by plaintiffs' attorneys, in which Monsanto officials in some cases review and make edits to research manuscripts being worked on by academics and non-company scientists. Some of these company communications have concerned studies that the EPA has considered as part of its registration review of glyphosate, such as Kier and Kirkland (2013), Mink et al (2012) and Williams et al (2000), in which plaintiffs' attorneys say the company communications show that Monsanto's scientists reviewed and in some cases proposed edits to these papers.

The company previously has said that the authors' conclusions remain their own and that any edits amounted to textual/editorial changes. I wanted to understand how the EPA considers this sort of involvement in the context of reviewing the scientific literature for the re-registration process, why these assertions by the plaintiffs' attorneys are or are not a concern, and whether the EPA has inquired further about the company's involvement in scientific research that's considered as part of the regulatory review process for this product.

Please let me know if we could set something up by the end of next week, Feb. 22.

-Jacob

Jacob Bunge  
Reporter, The Wall Street Journal  
Chicago, IL  
312 750 4117 (office)  
Ex. 6 Personal Privacy (PP) mobile)  
[Jacob.bunge@wsj.com](mailto:Jacob.bunge@wsj.com)

@jacobbunge

On Wed, Feb 6, 2019 at 8:10 AM Sauerhage, Maggie <[Sauerhage.Maggie@epa.gov](mailto:Sauerhage.Maggie@epa.gov)> wrote:

Good morning,

A colleague forwarded your voicemail sharing that you had some questions on EPA's assessment of glyphosate. If you could please send me your questions and deadline, we can work on getting them answered for you.

Thanks,

Maggie

Maggie Sauerhage

Office of Public Affairs

U.S. Environmental Protection Agency

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/12/2018 6:43:29 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Melbourne Beachsider (Jan Childs) re PFAS labs follow-up (DDL: 9/12)

Ok

---

**From:** Jones, Enesta  
**Sent:** Wednesday, September 12, 2018 2:34 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Melbourne Beachsider (Jan Childs) re PFAS labs follow-up (DDL: 9/12)

OW-drafted; ORD-reviewed response:

On background: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

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**From:** Jan Wesner Childs [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Wednesday, September 12, 2018 12:39 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Subject:** Re: Fwd: Subject: PFAS testing question

Thanks!

Jan Childs  
Education Correspondent  
Melbourne Beachsider  
cell: Ex. 6 Personal Privacy (PP)

On Wednesday, September 12, 2018, 11:56:38 AM EDT, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Jan, I'm checking.

Begin forwarded message:

**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** September 12, 2018 at 11:55:19 AM EDT  
**To:** Jan Wesner Childs <Ex. 6 Personal Privacy (PP)>  
**Cc:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Subject:** RE: RE: Subject: PFAS testing question

Nope. Those are mine alone. But she's super-responsive, so you should be hearing from her very soon.



Cheers, R.

**Robert Daguiard**

**Office of Media Relations**

**U.S. Environmental Protection Agency**

**Washington, DC**

**+1 (202) 564-6618 (O)**

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Jan Wesner Childs [mailto:Ex. 6 Personal Privacy (PP)]

**Sent:** Wednesday, September 12, 2018 11:54 AM

**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>

**Subject:** Re: RE: Subject: PFAS testing question

Great! Is she at the phone number listed in your signature line? Thanks again!

Jan Childs

Education Correspondent

Melbourne Beachsider

cell: Ex. 6 Personal Privacy (PP)

On Wednesday, September 12, 2018, 11:49:22 AM EDT, Daguiard, Robert <Daguiard.Robert@epa.gov> wrote:

Good morning and thanks, Jan,

My colleague Enesta, who is now back in the office, will be able to help you with your follow-up question.

Cheers, R.

**Robert Daguillard**

**Office of Media Relations**

**U.S. Environmental Protection Agency**

**Washington, DC**

**+1 (202) 564-6618 (O)**

**Ex. 6 Personal Privacy (PP)** **(M)**

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**From:** Jan Wesner Childs [mailto:**Ex. 6 Personal Privacy (PP)**]  
**Sent:** Wednesday, September 12, 2018 11:41 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Subject: PFAS testing question

Thanks, Robert. I'm trying to determine if a particular lab, Pace Analytical of Ormond Beach, Fla., and Minneapolis Minn., was fully certified in testing for all 19 components that, as I understand it, make up the PFAS "family," to include PFBA. Do either of the certifications you mention include that capability?

Thank you,

Jan

Jan Childs

Education Correspondent

Melbourne Beachsider

cell: **Ex. 6 Personal Privacy (PP)**

On Monday, September 10, 2018, 5:22:43 PM EDT, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Jan,

For attribution to U.S. EPA, please:

EPA has a [list of labs previously approved under the UCMR3 to test water samples using EPA Method 537 \(PFAS method\)](#) posted on the Agency's website. Other organizations, like DOD and The NELAC Institute (TNI), maintain websites with active lists of laboratories accredited by their respective organizations to analyze various sample types for PFAS. EPA will continue its efforts to make stakeholders and the certification/accreditation community aware of the ongoing interest in PFAS analyses.

Cheers, R.

**Robert Daguiard**

**Office of Media Relations**

**U.S. Environmental Protection Agency**

**Washington, DC**

**+1 (202) 564-6618 (O)**

Ex. 6 Personal Privacy (PP) (M)

**From:** Jan Wesner Childs [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]

**Sent:** Friday, September 07, 2018 3:06 PM

**To:** Latham, Michelle <[Latham.Michelle@epa.gov](mailto:Latham.Michelle@epa.gov)>

**Subject:** PFAS testing question

Hello,

I'm a reporter in Brevard County, Florida. I'm doing a story on water testing that was done in our local schools. I just have a couple of general questions about PFAS testing.

Would you be able to answer those or tell me who can?

Thank you,

Jan

Jan Childs

Education Correspondent

Melbourne Beachsider

cell: [Ex. 6 Personal Privacy (PP)]

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 10/4/2019 1:49:28 PM  
**To:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Press Inquiry: Speak to someone about storm/flood clean up?

Ok

---

**From:** Sauerhage, Maggie  
**Sent:** Friday, October 4, 2019 9:45 AM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Press Inquiry: Speak to someone about storm/flood clean up?

Ok to send OAR response below?

**Attributable to an EPA spokesperson:**

## Ex. 5 Deliberative Process (DP)

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

**From:** Haniya Rae <haniya.rae@consumer.org>  
**Sent:** Thursday, October 03, 2019 1:34 PM  
**To:** Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>  
**Cc:** Press <Press@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Rodriguez, Elias <Rodriguez.Elias@epa.gov>  
**Subject:** Re: Press Inquiry: Speak to someone about storm/flood clean up?

Hi Maggie,

If someone could answer before EOD tomorrow, that'd be great. Thank you!

On Thu, Oct 3, 2019 at 1:23 PM Sauerhage, Maggie <Sauerhage.Maggie@epa.gov> wrote:

Hi Haniya,

Checking on this for you. What's your deadline?

Thanks,

Maggie

Maggie Sauerhage

Office of Public Affairs

U.S. Environmental Protection Agency

Office: (202) 564-0443

Cell: Ex. 6 Personal Privacy (PP)

**From:** Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)>

**Sent:** Thursday, October 03, 2019 1:02 PM

**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Mears, Mary <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>; Rodriguez, Elias <[Rodriguez.Elias@epa.gov](mailto:Rodriguez.Elias@epa.gov)>

**Subject:** Re: Press Inquiry: Speak to someone about storm/flood clean up?

Hello Enesta,

I have a quick question: I know a homeowner shouldn't enter until they're told it's safe to do so, but should they also wait until floodwaters recede? Or should they enter even if there's standing water?

On Tue, Sep 17, 2019 at 11:08 AM Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Please attribute to Enesta Jones, an EPA Spokesperson.

On Sep 17, 2019, at 10:38 AM, Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)> wrote:

Hello Enesta,

Is there a name we can attribute to directly?

On Tue, Sep 10, 2019 at 5:28 PM Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Haniya,

Please see our response below.

**Attributable to an EPA Spokesperson:** The moisture levels to which you are referring indicate optimal comfort levels for occupants under every-day circumstances and are not related to appropriate humidity levels for buildings that have experienced flooding or other water damage. To know if it is safe to bring drywall, wood, or furniture into a flood-damaged building, please discuss with your contractor or home inspector.

On Sep 10, 2019, at 3:50 PM, Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)> wrote:

Thank you so much, Enesta.

For moisture levels, I see that you recommend that it's ideally between 30 and 50 percent—is that humidity level safe to put wood/furniture/drywall back in your home as well?

On Tue, Sep 10, 2019 at 2:48 PM Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hello Haniya,

Please see our responses below, attributable to an EPA Spokesperson.

**What do you do first if you smell gas or see downed powerlines near your home?**

CDC and FEMA offer guidance. Please contact them.

**Are shovels the best way to remove debris from your home? Where should debris be piled up?**

Use of Shovel -- Be careful when moving furnishings or debris, because they may be waterlogged and heavier after a flood. What tools should be used to safely clean up debris will depend on several factors including the amount and type of debris, location and situation.

Debris Cleanup -- Check to see if your local government/municipality has a disaster debris management plan for specific guidelines in your area. In general, debris placed from the sidewalk toward your property will not be picked up. Contractors cannot collect items on private property. Do not set debris against trees or poles. Doing so makes it harder for cleanup crews to scoop up the items. Homeowners may be asked to separate debris into categories (eg., household garbage, construction debris, household hazardous waste, goods/appliances, electronics, etc.). For more information see <https://www.epa.gov/natural-disasters/managing-debris-after-natural-disaster>

**If you have a dehumidifier (or multiple dehumidifiers), where should it be placed?**

A dehumidifier reduces the amount of moisture in the air and can be an important part of post-flood cleanups to aid in the drying process. Although fans may be used to move moisture into the air from wet surfaces and materials, unless that moisture is removed from the air, it can re-condense on those surfaces and materials. Where to place the dehumidifier or multiple dehumidifiers depends upon several factors including type and power of the dehumidifier and your personal situation.

**How long should you keep an airflow through a house if you're trying to dry it out? Is there a magic number or moisture level? If you have to remove drywall, how long should you leave your walls open and allow to dry? Is there an indoor moisture level recommended?**

The amount of time it takes to completely dry a house varies and depends on several factors including moisture content of the air being used to ventilate, where the moisture is located and the nature, types and porosity of the materials inside that need to dry. It is important to note that once the liquid water is removed from the building and the large open surfaces are dry to the touch, problem water can still remain in cavities, cracks, and porous materials. If drying efforts stop too soon, microbial growth may begin or recur.

If it is not raining outside, opening windows and doors will provide a great deal of ventilation. How quickly things dry depends on how dry the outdoor air is compared to the indoor air. If the outdoor air is warm and dry, the building will dry quicker but if the air is hot and humid things will dry more slowly.

How quickly things dry also depends on the nature of the materials and whether the item or assembly contains cavities, joints, cracks, or porous materials that make it difficult to air dry. Cracks are often hard to dry because liquid water can be held between them and may be too small to blow air through or wipe out with a rag. Air movement, dry air, and heat are needed to dry cavities, cracks, and porous materials. Some cavities such as cabinets, drawers, air handlers, and plumbing walls can be opened and aired out. Other cavities can only be



accessed by removing built-in cabinets or making holes in the kick spaces, soffits, and wall or ceiling cavities. Opening these cavities greatly increases the drying rate.

**If objects/surfaces in your home feel dry after a flood, should you just assume that they could still harbor mold?**

If the house has been closed up for several days, enter briefly to open doors and windows to let the house air out for a while (at least 30 minutes) before you stay for any length of time.

Things that remain wet for more than two days usually get moldy. If you were not able to dry your home (including furniture and other items) within 24-48 hours, you should assume you have mold growth. In addition, beyond mold, microorganisms such as bacteria can multiply and grow in standing water. Even when flooding is due to rainwater, floodwater can get mixed with sewage, dirt, or other substances and bring contaminants such as bacteria and chemicals into your home.

**How soon can you replace vinyl, carpet, furniture, and other surfaces?**

A home/area that has been flooded should first be determined to be safe, with no structural, electrical or other hazards. After which ensure that the house/area is completely cleaned and dry before beginning to replace items in the home.

**Is there any certification that people should look for if a contractor offers their services for mold cleanup? (ie: how do people know whether they're being scammed?)**

Hire a mold inspection or remediation professional affiliated with or certified by the National Environmental Health Association (NEHA), the American Industrial Hygiene Association (AIHA), the Institute of Inspection, Cleaning and Restoration Certification (IICRC), or American Council for Accredited Certification (ACAC) to inspect, repair, and restore the damaged parts of your home. Your state also may regulate mold remediation.

Additional resources:

Homeowner's and Renter's Guide to Mold Cleanup After Disasters -<https://www.epa.gov/mold/homeowners-and-renters-guide-mold-cleanup-after-disasters>

On Sep 10, 2019, at 9:46 AM, Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)> wrote:

Hello,

We're working on a story about cleaning up your home after a flood. I was wondering if I could speak to an expert for attribution who can talk about mold and cleanup. I'd need to speak to someone before EOD. Thanks!

--

Haniya Rae

Associate Content Manager, Home & Appliance

Consumer Reports Magazine

101 Truman Avenue, Yonkers, NY 10703

O: 914 378 2012

M: Ex. 6 Personal Privacy (PP)

[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)

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Haniya Rae

Associate Content Manager, Home & Appliance

Consumer Reports Magazine

101 Truman Avenue, Yonkers, NY 10703

O: 914 378 2012

M: Ex. 6 Personal Privacy (PP)

[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)

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Haniya Rae

Associate Content Manager, Home & Appliance

Consumer Reports Magazine

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[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)

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Haniya Rae

Associate Content Manager, Home & Appliance

Consumer Reports Magazine

101 Truman Avenue, Yonkers, NY 10703

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M: Ex. 6 Personal Privacy (PP)

[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)

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Haniya Rae

Associate Content Manager, Home & Appliance

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[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)

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notify the sender by reply e-mail and permanently delete this e-mail and any attachments from your computer system.

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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/21/2018 12:07:36 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Center for Public Integrity (Jamie Hopkins) re follow-up on methylene chloride (DDL: 8/21)

Ok. But let's not send that in quotes.

---

**From:** Jones, Enesta  
**Sent:** Tuesday, August 21, 2018 7:09 AM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Center for Public Integrity (Jamie Hopkins) re follow-up on methylene chloride (DDL: 8/21)

The program says: Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

**From:** "Hopkins, Jamie" <jhopkins@publicintegrity.org>  
**Date:** August 20, 2018 at 8:54:26 PM EDT  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Media query -- methylene chloride

Thanks, Enesta -- sorry about the late response. Does the EPA have any estimate as to when it will forward the rule to the OMB for review? I understand that after that point, the timing is largely dependent on OMB. But OMB does not show on its website that it has received the rule from the EPA yet.

---

**From:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Sent:** Monday, August 20, 2018 12:45:37 PM  
**To:** Hopkins, Jamie  
**Cc:** Press  
**Subject:** Re: Media query -- methylene chloride

Jamie,

**"We're continuing to work with OMB and other agencies with equities to move forward with that regulation."** — EPA spokesperson

On Aug 20, 2018, at 7:55 AM, Hopkins, Jamie <jhopkins@publicintegrity.org> wrote:

Hi, Robert, I'm re-upping this question because Walmart is announcing today that it will be removing methylene chloride paint strippers from its shelves. When does the EPA plan to forward its methylene chloride paint stripper rule to OMB?

Many thanks.

Best,

Jamie

---

**From:** Hopkins, Jamie  
**Sent:** Monday, July 23, 2018 11:26:02 AM  
**To:** Daguillard, Robert  
**Cc:** Press  
**Subject:** Re: Media query -- methylene chloride

OK, thank you, but you're unable to share any sense of when that rulemaking will be sent to OMB? Will it be this summer? By the end of the year?

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Monday, July 23, 2018 11:24:56 AM  
**To:** Hopkins, Jamie  
**Cc:** Press  
**Subject:** RE: Media query -- methylene chloride

Hullo again Jamie,

EPA is working to send the finalized methylene chloride rulemaking to OMB. That document will contain actions that the Agency will take, including timeframes. – **EPA Spokesperson.**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Hopkins, Jamie [<mailto:jhopkins@publicintegrity.org>]  
**Sent:** Monday, July 23, 2018 7:52 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Media query -- methylene chloride

Good morning. Can EPA give an update on where things stand with the methylene chloride rule? The agency said on May 10 that it would send a final version to OMB shortly, but it has yet to show up on that agency's dashboard of regulatory actions under review (<https://www.reginfo.gov/public/jsp/EO/eoDashboard.jsp>). What is the EPA's expected timeline?

Best,

Jamie

---

**From:** Hopkins, Jamie  
**Sent:** Thursday, March 29, 2018 3:18 PM  
**To:** Daguillard, Robert  
**Cc:** Press  
**Subject:** RE: Media query -- methylene chloride

OK, thanks for the speedy response!

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Thursday, March 29, 2018 3:18 PM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Media query -- methylene chloride

Hullo Jamie,

For attribution to “an EPA spokesperson,” please:

We will respond to the letter through appropriate channels.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Hopkins, Jamie [<mailto:jhopkins@publicintegrity.org>]  
**Sent:** Thursday, March 29, 2018 3:00 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Media query -- methylene chloride

Hi, Robert, I’m working on a quick-turnaround piece about South Carolina’s senators and one congressman calling on EPA to act on the proposed methylene chloride rule. (I’ve attached the letter in case you haven’t seen it.)

Would the EPA like to comment? My deadline is **today at 4 p.m.**

Can’t recall now if I sent you the link to the story we corresponded about earlier – here it is:  
<https://www.publicintegrity.org/2018/03/26/21626/epa-planned-ban-deadly-paint-stripping-chemical-will-it-follow-through> (and here’s the version Slate co-published: <https://slate.com/technology/2018/03/will-the-epa-ban-methylene-chloride.html>)

Best,

Jamie



---

**From:** Hopkins, Jamie  
**Sent:** Thursday, March 22, 2018 9:04 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Media query -- methylene chloride

Good morning, just wanted to make sure you saw these questions from Tuesday:

---

**From:** Hopkins, Jamie  
**Sent:** Tuesday, March 20, 2018 1:26 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Media query -- methylene chloride

Thanks! Could you clarify two things:

- 1) Does the EPA still intend to finalize the current NMP/methylene chloride rule at some point?
- 2) How long does the EPA currently expect the NMP/methylene chloride rule will take to finalize?

Many thanks.

Jamie

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Tuesday, March 20, 2018 1:21:12 PM  
**To:** Hopkins, Jamie  
**Cc:** Press  
**Subject:** RE: Media query -- methylene chloride

Jamie, for attribution to “an EPA spokesperson,” please:

1. I see that the NMP/methylene chloride rule, which was a “proposed rule” in the spring 2017 regulatory agenda, was changed to a “Long-term Action” in the most recent regulatory agenda. Does this mean the proposal has been shelved?

**Response:** The Regulatory Plan of the Unified Agenda contains the regulatory priority actions that agencies expect to take in the coming year. The status changed because the Agency felt that more time was needed to consider how best to analyze and address any risks from these chemicals. Given that these actions were not anticipated to finalize within 12 months, they were removed from the Unified Agenda. The agency is currently considering the comments received in response to the proposal.

2. Methylene chloride is one of the 10 chemicals on the list for the first risk evaluations under the revised TSCA law. I'm not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete”

**Response:** We plan to finalize the risk evaluations by late 2019. If at the end of the risk evaluation process, EPA determines that a chemical presents an unreasonable risk to health or the environment, the chemical must immediately move to risk management action under TSCA. [Read more.](#)

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Hopkins, Jamie [<mailto:jhopkins@publicintegrity.org>]

**Sent:** Friday, March 16, 2018 10:46 AM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** RE: Media query -- methylene chloride

Couple things I should add to the question pile:

1. I see that the NMP/methylene chloride rule, which was a “proposed rule” in the spring 2017 regulatory agenda, was changed to a “Long-term Action” in the most recent regulatory agenda. Does this mean the proposal has been shelved?

2. Methylene chloride is one of the [10 chemicals](#) on the list for the first risk evaluations under the revised TSCA law. I’m not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete?

Thank you!

Jamie

---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]

**Sent:** Friday, March 16, 2018 10:36 AM

**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>

**Subject:** Re: Media query -- methylene chloride

Kewl. Thanks.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Mar 16, 2018, at 10:31 AM, Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)> wrote:

Yup, my deadline is Monday at 3 p.m.

Thanks!

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Friday, March 16, 2018 10:30 AM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Subject:** Re: Media query -- methylene chloride

Hey Jamie, I'm afraid you're right. My bad.

Deadline? Are you writing for publication soon?

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Mar 16, 2018, at 10:24 AM, Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)> wrote:

Hi, I'm re-upping this request because it probably got lost in the shuffle earlier this week:

---

**From:** Hopkins, Jamie  
**Sent:** Wednesday, March 14, 2018 10:53 AM  
**To:** 'daguillard.robert@epa.gov' <[daguillard.robert@epa.gov](mailto:daguillard.robert@epa.gov)>  
**Subject:** Media query -- methylene chloride

Hi, hope you're well. Could you update me on the status and expected timeline of the proposed TSCA rulemaking for methylene chloride and NMP? Also, has there been action on this proposal since the extension of the comment deadline last April?

Many thanks.

Best,

Jamie

-----  
Jamie Smith Hopkins  
Reporter  
The Center for Public Integrity  
910 17th Street NW, 7th Floor  
Washington, DC 20006  
Office: 202-481-1231  
Follow me @jsmithhopkins  
Read our journalism at [www.publicintegrity.org](http://www.publicintegrity.org)

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 10/12/2018 7:34:18 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: For Review: Fact-checking inquiry from Harper's Magazine

Ok

Sent from my iPhone

On Oct 12, 2018, at 3:18 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

The reporter told me over the phone she meant to ask whether EPA thinks the numbers might have changed since 2008. The program is recommending

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**RESPONSE:** Ex. 5 Deliberative Process (DP)

+++++

Hi Robert,

Does the EPA have any recent to doubt that the 2008 numbers have changed substantially?

—  
Clementine Ford  
Editorial Assistant  
Harper's Magazine  
666 Broadway, 11th Floor  
New York, NY 10012  
(212) 420-5742

On Thu, Oct 11, 2018 at 8:48 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good evening Clementine and sorry for the delayed response.

For attribution to U.S. EPA, please:

"EPA does not have a recent estimate to confirm that figure. However, according to our 2008 summary of termite structural damage that included review of published literature up until that time, your figure is accurate.

The Association of Structural Pest Control Regulatory Officials ([www.aspcro.org/](http://www.aspcro.org/)) may have more recent information to help you confirm the figure."

Robert Daguillard  
U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Oct 11, 2018, at 11:13 AM, Clementine Ford <[south@harpers.org](mailto:south@harpers.org)> wrote:

Hi Robert!

Just checking in to see how this is going. My meeting is soon, and I'd like to let him know if we think we'll have this confirmed/modified by the EPA by the end of the day. Let me know if you can.

Best,  
Clem

—

Clementine Ford  
Editorial Assistant  
Harper's Magazine  
666 Broadway, 11th Floor  
New York, NY 10012  
(212) 420-5742

On Tue, Oct 9, 2018 at 2:04 PM Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Hullo Clem,

\$1.5 billion? Let me check.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Clementine Ford [mailto:south@harpers.org]  
**Sent:** Tuesday, October 09, 2018 2:02 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Fact-checking inquiry from Harper's Magazine

Hi Robert,

Nice to speak to you again. I'm hoping to confirm that the minimum amount of US property damage caused by termites each year is 1,500,000,000. Does that number sound right to the EPA? If not, what is the correct number?

<https://www.epa.gov/safepestcontrol/termites-how-identify-and-control-them>

Here is a link from the EPA on termite damage, but it doesn't specify how many billions. Let me know --by Thursday morning if you can-- if my figure of 1,500,000,000 dollars is correct, or if there is a different one. Thanks so much, Robert!

Best,

Clem

—

Clementine Ford  
Editorial Assistant  
Harper's Magazine  
666 Broadway, 11th Floor  
New York, NY 10012  
(212) 420-5742

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/23/2018 5:36:05 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: BNV - Something in Fed. Reg. seems to be missing; can you call, clarify?

Ok. **Ex. 5 Deliberative Process (DP)**

**From:** Daguillard, Robert  
**Sent:** Thursday, August 23, 2018 1:19 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: BNV - Something in Fed. Reg. seems to be missing; can you call, clarify?

Nancy Beck-approved response. Good to send for attribution to a spokesperson?

## Ex. 5 Deliberative Process (DP)

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

Begin forwarded message:

**From:** "Rizzuto, Denise Pat" <prizzuto@bloombergenvironment.com>  
**Date:** August 23, 2018 at 10:17:02 AM EDT  
**To:** Press <Press@epa.gov>, "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Subject:** Something in Fed. Reg. seems to be missing; can you call, clarify?

This public inspection notice says the SNURs will be published in this same issue of the Fed. Reg., but I don't see that 2<sup>nd</sup> notice. Did it accidentally not get posted? Is it coming out later today?  
<https://www.federalregister.gov/documents/2018/08/24/2018-18396/significant-new-use-rules-on-certain-chemical-substances>

\*\*\*\*\*

**Pat Rizzuto**  
Chemicals Reporter

**Bloomberg Environment**

(703) 341-3741  
[prizzuto@bloombergenvironment.com](mailto:prizzuto@bloombergenvironment.com)



Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/10/2018 9:11:05 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Argus - Affordable Clean Energy rule hearing

Small edits below. thanks!

---

**From:** Daguillard, Robert  
**Sent:** Monday, September 10, 2018 5:08 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Argus - Affordable Clean Energy rule hearing

Program response. OK to send for attribution to a spokesperson?

# Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Michael Ball [mailto:michael.ball@argusmedia.com]  
**Sent:** Monday, September 10, 2018 11:52 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Affordable Clean Energy rule hearing

Hi,

Does EPA plan to hold any additional hearings beyond the one announced today for Chicago. If not, why just a single hearing?

Thanks

Mike

Michael Ball  
Air Daily Editor

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Yahoo/Skype ID: argusball



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illuminating the markets

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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/15/2018 2:37:01 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: For REVIEW: MIC.Com (Kate Bratskeir) - about EWG and glyphosate

Go for it.

Sent from my iPhone

On Aug 15, 2018, at 10:21 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

**Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP) to respond to a specific question from this reporter. Please advise.

RESPONSE, for attribution to a spokesperson:

**Ex. 5 Deliberative Process (DP)**

**From:** Kate Bratskeir [<mailto:kbratskeir@mic.com>]  
**Sent:** Tuesday, August 14, 2018 1:23 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** media inquiry about EWG and glyphosate

Hi Robert,

I'm sure you're privy to the EWG report about glyphosate that's being released tomorrow. I'm reaching out in hopes of getting a comment about the EPA's regulations over Glyphosate: The EWG argues that the legal limit of glyphosate allowed in food is too high, especially considering that WHO classifies it as a probably carcinogen. What is the EPA's position on this and is the organization looking into adjust its numbers? And more, do consumers have the right to know how much glyphosate, if any, they are consuming from food?

Appreciate your time and help on this!

--



Senior Editor, Food & Travel  
**Kate Bratskeir**  
One World Trade Center  
285 Fulton Street, 82nd Floor  
NY, NY 10007 [@kbratskeir](mailto:kbratskeir)

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/10/2018 6:00:14 PM  
**To:** Daguiard, Robert [Daguiard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: FOR REVIEW: EE NEWS - 9/10 - regional haze changes

Yes

Sent from my iPhone

On Sep 10, 2018, at 1:59 PM, Daguiard, Robert <Daguiard.Robert@epa.gov> wrote:

**Ex. 5 Deliberative Process (DP)** OK to use the following for attribution to a spokesperson, and as a response not just to this inquiry, but also to Amena Saiyid (BNV)?

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Niina Heikkinen [mailto:nheikkinen@eenews.net]  
**Sent:** Monday, September 10, 2018 11:17 AM  
**To:** Press <Press@epa.gov>  
**Subject:** regional haze changes

Hello,

I am now moving from covering just climate policy to environmental and energy regulations more broadly. I saw your press release today about change to regional haze and was interested in setting up a background conversation with Mandy Gunasekara or some other official to talk about the rationale behind changing FIPs to SIPs. My colleague Sean is likely writing about the announcement itself, but I'm interested in putting this change into a broader context.

My deadline is 4 pm Eastern.

Thanks very much for your help.

Sincerely,  
Niina

Niina Heikkinen  
E&E News regulations reporter  
(w) 202-737-3715  
(C) Ex. 6 Personal Privacy (PP)  
nheikkinen@eenews.net  
@nhheikkinen

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/10/2018 8:12:10 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Downtown Publications - Formaldehyde, IRIS & TSCA Assessments

Good to go then.

---

**From:** Daguillard, Robert  
**Sent:** Friday, August 10, 2018 3:55 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review: Downtown Publications - Formaldehyde, IRIS & TSCA Assessments

He signed off on all answers.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Block, Molly  
**Sent:** Friday, August 10, 2018 2:23 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review: Downtown Publications - Formaldehyde, IRIS & TSCA Assessments

Is Richard Yamada aware of this?

---

**From:** Daguillard, Robert  
**Sent:** Friday, August 10, 2018 2:18 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Downtown Publications - Formaldehyde, IRIS & TSCA Assessments

The reporter writes for a newspaper based in suburban Detroit. R5 is already aware of this inquiry. OCSPP answered Q1, ORD the rest. Good to send for attribution to a spokesperson?  
[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)

**Q1: In regard to TSCA, will formaldehyde undergo any assessment?**

# Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Q2: Could you provide some general information on where the current IRIS assessment of formaldehyde is at, and when that may be released for public comment?

## Ex. 5 Deliberative Process (DP)

Q3: Could you speak to the changes that were undertaken at IRIS in regard to the way assessments are done, including the formaldehyde assessment and others since 2014?

## Ex. 5 Deliberative Process (DP)

Q4: What is EPA's current position on formaldehyde risks, particularly as it relates to carcinogens. Is it known or suspected as a carcinogen? Is there consensus yet as to what cancer(s) that includes. Will the IRIS assessment speak to this [cancer issue?

## Ex. 5 Deliberative Process (DP)

+++++

Robert,

We go to press next week, so I do have some flexibility. The story will need to be turned in end of the day Friday, with a little room for edits until Monday morning. After that it goes to production.

On Tue, Aug 7, 2018 at 9:26 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

On Aug 6, 2018, at 10:17 PM, Kevin Elliott <[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)> wrote:

Robert,

I'm working on a story about formaldehyde for our September edition of Downtown Newsmagazine in suburban Detroit. The story is focusing on the health risk of formaldehyde, the EPA's ongoing IRIS assessment of formaldehyde, and the next steps that would occur after the IRIS assessment process is complete.



Could you provide some general information on where the current IRIS assessment of formaldehyde is at, and when that may be released for public comment?

I understand that the assessment was revamped after several years ago after the NAS reviewed IRIS's assessment and critiqued the processes that were used. Could you speak to the changes that were undertaken at IRIS in regard to the way assessments are done, including the formaldehyde assessment and others since 2014?

What is EPA's current position on formaldehyde risks, particularly as it relates to carcinogens. Is it known or suspected as a carcinogen? Is there consensus yet as to what cancer(s) that includes. Will the IRIS assessment speak to this issue?

What steps will take place after the assessment is released?

In regard to TSCA, will formaldehyde undergo any assessment?

Finally, is it possible that Nancy Beck, EPA Deputy Assistant Administrator with the Office of chemical Safety and Pollution Prevention might be available for any comments or a brief phone interview? I believe her experience under three different administrations and work in the industry gives her a unique perspective on toxics and the direction the EPA will be taking in regard to their regulation.

As I stated, I'm hoping to wrap up some basic questions early this week, but I could go later in the week or perhaps beyond for anything more extensive. As Michigan is the home to a major chemical manufacturer (Dow), I believe this topic will be of great interest to our readers, and hope we can offer some unique insight.

Thank you,

Kevin Elliott

Reporter

Downtown Publications

248.792.6464 ext. 701

Ex. 6 Personal Privacy (PP) cell)

--

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OaklandConfidential.com  
248.792.6464

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/10/2018 6:27:45 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RE: For Review: Downtown Publications - Formaldehyde, IRIS & TSCA Assessments

ORD's response, especially the last question.

---

**From:** Daguillard, Robert  
**Sent:** Friday, August 10, 2018 2:27 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: For Review: Downtown Publications - Formaldehyde, IRIS & TSCA Assessments

To clarify: Are you asking whether he's reviewed ORD's part of the response? Or the whole thing?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 5 Deliberative Process (DP)

 (M)

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**From:** Daguillard, Robert  
**Sent:** Friday, August 10, 2018 2:25 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review: Downtown Publications - Formaldehyde, IRIS & TSCA Assessments

Let me ask the ORD comms team.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 5 Deliberative Process (DP)

 (M)

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**From:** Block, Molly  
**Sent:** Friday, August 10, 2018 2:23 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review: Downtown Publications - Formaldehyde, IRIS & TSCA Assessments

Is Richard Yamada aware of this?

---

**From:** Daguillard, Robert  
**Sent:** Friday, August 10, 2018 2:18 PM

To: Press <Press@epa.gov>

Subject: For Review: Downtown Publications - Formaldehyde, IRIS & TSCA Assessments

The reporter writes for a newspaper based in suburban Detroit. R5 is already aware of this inquiry. OCSPP answered Q1, ORD the rest. Good to send for attribution to a spokesperson?

[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)

Q1: In regard to TSCA, will formaldehyde undergo any assessment?

## Ex. 5 Deliberative Process (DP)

Q2: Could you provide some general information on where the current IRIS assessment of formaldehyde is at, and when that may be released for public comment?

## Ex. 5 Deliberative Process (DP)

Q3: Could you speak to the changes that were undertaken at IRIS in regard to the way assessments are done, including the formaldehyde assessment and others since 2014?

## Ex. 5 Deliberative Process (DP)

Q4: What is EPA's current position on formaldehyde risks, particularly as it relates to carcinogens. Is it known or suspected as a carcinogen? Is there consensus yet as to what cancer(s) that includes. Will the IRIS assessment speak to this [cancer issue?

## Ex. 5 Deliberative Process (DP)

+++++

Robert,

We go to press next week, so I do have some flexibility. The story will need to be turned in end of the day Friday, with a little room for edits until Monday morning. After that it goes to production.

On Tue, Aug 7, 2018 at 9:26 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

On Aug 6, 2018, at 10:17 PM, Kevin Elliott <[kevinelliott@downtownpublications.com](mailto:kevinelliott@downtownpublications.com)> wrote:

Robert,

I'm working on a story about formaldehyde for our September edition of Downtown Newsmagazine in suburban Detroit. The story is focusing on the health risk of formaldehyde, the EPA's ongoing IRIS assessment of formaldehyde, and the next steps that would occur after the IRIS assessment process is complete.

Could you provide some general information on where the current IRIS assessment of formaldehyde is at, and when that may be released for public comment?

I understand that the assessment was revamped after several years ago after the NAS reviewed IRIS's assessment and critiqued the processes that were used. Could you speak to the changes that were undertaken at IRIS in regard to the way assessments are done, including the formaldehyde assessment and others since 2014?

What is EPA's current position on formaldehyde risks, particularly as it relates to carcinogens. Is it known or suspected as a carcinogen? Is there consensus yet as to what cancer(s) that includes. Will the IRIS assessment speak to this issue?

What steps will take place after the assessment is released?

In regard to TSCA, will formaldehyde undergo any assessment?

Finally, is it possible that Nancy Beck, EPA Deputy Assistant Administrator with the Office of chemical Safety and Pollution Prevention might be available for any comments or a brief phone interview? I believe her experience under three different administrations and work in the industry gives her a unique perspective on toxics and the direction the EPA will be taking in regard to their regulation.

As I stated, I'm hoping to wrap up some basic questions early this week, but I could go later in the week or perhaps beyond for anything more extensive. As Michigan is the home to a major chemical

manufacturer (Dow), I believe this topic will be of great interest to our readers, and hope we can offer some unique insight.

Thank you,

Kevin Elliott

Reporter

Downtown Publications

248.792.6464 ext. 701

Ex. 5 Deliberative Process (DP) (cell)

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248.792.6464

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 10/11/2018 1:43:55 PM  
**To:** Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW--FOLLOW-UP: Freelance (Tom Ewing) RE 2013 VGP. (flexible deadline)

Ok

---

**From:** Lynn, Tricia  
**Sent:** Thursday, October 11, 2018 9:42 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW--FOLLOW-UP: Freelance (Tom Ewing) RE 2013 VGP. (flexible deadline)

Follow-up regarding VGP.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

**Suggested Response:**

Tom--

Ex. 5 Deliberative Process (DP)

On background:

## Ex. 5 Deliberative Process (DP)

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**From:** Ewing Tom [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Thursday, October 11, 2018 9:00 AM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Subject:** Re: question - VGP 3

Tricia - thank you. Any insights as to why the new permit is not ready? Also, if an operator does not have a permit now can a person realistically apply for and receive a new permit between now and December 31?

Thanks!

Tom Ewing

"reply" or

Ex. 6 Personal Privacy (PP) voice/text

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**From:** "Lynn, Tricia" <lynn.tricia@epa.gov>  
**To:** Ewing Tom <Ex. 6 Personal Privacy (PP)>  
**Sent:** Thursday, October 11, 2018 8:51 AM  
**Subject:** RE: question - VGP 3

Tom—

For attribution to "an EPA spokesperson:"

EPA's 2013 Vessel General Permit (VGP) will not be reissued prior to its December 18, 2018 expiration date, but will be administratively continued and remain in effect until a new permit is issued. Owners/operators of vessels operating under the administratively continued permit are expected to comply with the terms and conditions of that permit. Because coverage under the VGP cannot be obtained after the permit's expiration date, EPA strongly encourages owners/operators of eligible vessels currently without permit coverage to seek it prior to December 18, 2018. EPA stands ready to assist those applying for VGP and will continue its work on reissuing the permit, with a targeted timeframe of permit proposal in Spring 2019. For information about how to apply for a VGP and eligibility requirements, visit <https://www.epa.gov/npdes/vessels-vgp>.

On background:

EPA issued the Vessel General Permit (VGP) in December 2013, and it expires in December 2018. The VGP provides National Pollutant Discharge Elimination (NPDES) permit coverage for incidental discharges into waters of the United States from commercial vessels greater than 79 feet in length and for ballast water from commercial vessels of all sizes. EPA estimates that approximately 61,000 domestically flagged commercial vessels and approximately 8,000 foreign flagged vessels require VGP permit coverage for such incidental discharges.

Best.

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

---

**From:** Ewing Tom [mailto:[Ex. 6 Personal Privacy \(PP\)](mailto:Ex.6PersonalPrivacy@epa.gov)]  
**Sent:** Wednesday, September 19, 2018 9:51 AM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** question - VGP 3

Ms. Lynn - good morning. What is the current status with EPA's development and release of a revised Vessel General Permit (VGP)? I think a draft VGP 3 was going to be released in the spring/summer. Did that happen or is VGP 3 still under review by the Agency?

Thanks!

Tom Ewing  
"reply" or



Ex. 6 Personal Privacy (PP) voice/text

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 10/11/2018 12:48:46 PM  
**To:** Lynn, Tricia [lynn.tricia@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: FOR REVIEW: Freelance (Tom Ewing) RE 2013 VGP. (flexible deadline)

Great! Good to go.

Sent from my iPhone

On Oct 11, 2018, at 8:48 AM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Yep. They just sent it this morning.

---

**From:** Block, Molly  
**Sent:** Thursday, October 11, 2018 8:47 AM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: FOR REVIEW: Freelance (Tom Ewing) RE 2013 VGP. (flexible deadline)

Is this the OW desk statement?

Sent from my iPhone

On Oct 11, 2018, at 8:41 AM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Reporter is asking about the current status of the 2013 Vessel General Permit. Tom Ewing, Freelance.

For attribution to "an EPA spokesperson:"

## Ex. 5 Deliberative Process (DP)

On background:

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

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**From:** Ewing Tom [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]

**Sent:** Wednesday, September 19, 2018 9:51 AM

**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** question - VGP 3

Ms. Lynn - good morning. What is the current status with EPA's development and release of a revised Vessel General Permit (VGP)? I think a draft VGP 3 was going to be released in the spring/summer. Did that happen or is VGP 3 still under review by the Agency?

Thanks!

Tom Ewing

"reply" or

[Ex. 5 Deliberative Process \(DP\)](#) voice/text

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/22/2018 6:37:19 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Update - Press Inquiry about Food Waste

Ok

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, August 22, 2018 2:31 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Update - Press Inquiry about Food Waste

Follow-up response from the program. Good to send?

# Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

**From:** Heather Haddon [mailto:heather.haddon@wsj.com]  
**Sent:** Wednesday, August 22, 2018 2:12 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Subject: Press Inquiry about Food Waste

Thanks. I'm not seeing plastic bags specifically referred to anywhere here in terms of waste generation or recycling. Is that not data you break out?

~~~~~  
Heather Haddon  
The Wall Street Journal  
312-750-4118 (o)  
Ex. 6 Personal Privacy (PP) (c)  
@heatherhaddon

On Wed, Aug 22, 2018 at 12:51 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Heather, you can attribute all information in the links below to U.S. EPA. Thanks in advance.

Our latest and current information on plastics is available in our recently released 2015 Facts and Figures (waste generation and management) data.

Plastics: Material-Specific Data-- <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/plastics-material-specific-data>

Containers and Packaging, Plastic Containers and Packaging-- <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/containers-and-packaging-product-specific-data#PlasticC&P>

Nondurable Goods, Plastic Plates and Cups-- <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/nondurable-goods-product-specific-data#PlasticPlatesandCups>

For more information on other materials and products-- <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling>

Cheers, R.

Robert Daguillard

Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Daguillard, Robert  
**Sent:** Wednesday, August 22, 2018 11:30 AM  
**To:** 'Heather Haddon' <[heather.haddon@wsj.com](mailto:heather.haddon@wsj.com)>  
**Subject:** RE: Subject: Press Inquiry about Food Waste

Good morning Heather. Let me check.

Cheers, R.

Robert Daguillard

Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Heather Haddon [<mailto:heather.haddon@wsj.com>]  
**Sent:** Wednesday, August 22, 2018 7:54 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Fwd: Subject: Press Inquiry about Food Waste

I see Tricia is out. Can someone else help me today? This is the blog post

<https://blog.epa.gov/blog/tag/plastic-bags/>

Thank you

~~~~~  
Heather Haddon  
The Wall Street Journal  
312-750-4118 (o)  
Ex. 6 Personal Privacy (PP) (C)  
@heatherhaddon

----- Forwarded message -----  
From: **Heather Haddon** <[heather.haddon@wsj.com](mailto:heather.haddon@wsj.com)>  
Date: Tue, Aug 21, 2018 at 8:19 PM  
Subject: Re: Subject: Press Inquiry about Food Waste  
To: Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

Hi Tricia,

This is Heather from the Journal. I'm doing a story tomorrow on disposable plastic bag use in the US and recycling. I'm looking for stats. I saw this EPA blog post, and wondering if these stats are still current, and if I can attribute them to the EPA if so. Would you be able to look into this tomorrow (Wednesday?)

Thanks in advance,

Heather

~~~~~  
Heather Haddon  
The Wall Street Journal  
312-750-4118 (o)  
Ex. 6 Personal Privacy (PP) (C)  
@heatherhaddon

On Fri, Dec 29, 2017 at 10:05 AM Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Hi Heather—

Robert's out today, but I actually cover food waste now, so you're in the right place.

Can you please send a list of your specific questions and your hard deadline so we can get started?

Thanks so much,

Tricia

---

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

**From:** Haddon, Heather [mailto:[heather.haddon@wsj.com](mailto:heather.haddon@wsj.com)]

**Sent:** Friday, December 29, 2017 10:46 AM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Re: Subject: Press Inquiry about Food Waste

Hello Robert,

I'm interested in potentially exploring a story about the EPA's food waste efforts, including anything to potentially back FoodMaven or other startups addressing the issue. Could I arrange for an interview with a subject expert in this area? Let me know what's possible when you can.

Thanks in advance.

Heather

On Thu, Oct 26, 2017 at 3:11 PM, Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Heather, for attribution to "an EPA spokesperson," please:



Food Maven participated in the Midwest Food Recovery Summit in Des Moines, IA in early September (<https://iwrc.uni.edu/foodrecoverysummit/speakers/bultema>) in the Thursday, 9/7 panel session, Tools and Resources to Promote Recovery and Donation Efforts.

EPA supports a variety of efforts and strategies that reduce the amount of wholesome, nutritious food going to landfills. See our Food Recovery Hierarchy (<https://www.epa.gov/sustainable-management-food/food-recovery-hierarchy>).

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

++

**From:** Haddon, Heather [<mailto:heather.haddon@wsj.com>]

**Sent:** Thursday, October 26, 2017 2:08 PM

**To:** StClair, Christie <[StClair.Christie@epa.gov](mailto:StClair.Christie@epa.gov)>

**Subject:** Press Inquiry about Food Waste

Hello,

I'm the food retail reporter for the Journal, and am working on a story about a Colorado company that has built a marketplace to sell food waste to restaurants and food service companies. It's called Food Maven. My understanding is that the EPA had the CEO of the company, Patrick Bultema, speak at a recent conference. Looking to confirm and get some detail if so, or if the agency supports this effort more generally. Any response by tomorrow would be most appreciated. I'm at my desk if it would help to discuss.

Thanks,

Heather

--

~~~~~  
Heather Haddon  
Wall Street Journal  
312-750-4118 (o)  
Ex. 6 Personal Privacy (PP) (c)  
@heatherhaddon

--

~~~~~  
Heather Haddon  
The Wall Street Journal  
312-750-4118 (o)  
Ex. 6 Personal Privacy (PP) (c)  
@heatherhaddon

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/6/2018 8:51:32 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW: INSIDE EPA - : media query - Recycling remarks

Ok

---

**From:** Daguillard, Robert  
**Sent:** Thursday, September 6, 2018 12:50 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: INSIDE EPA - : media query - Recycling remarks

From ORCR, a response to the reporter's follow-up. Good to send?

**Inquiry:**

Below, you say that EPA "is communicating with governments at the federal, state, tribal and local levels, as well as stakeholders in the private sector, to determine what steps should be regarding the domestic management of materials." Can you offer any specifics on these talks? Who specifically are they with? What suggestions is EPA hearing from these groups? When will EPA make decisions on these suggestions?

Response:

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

Also, below, EPA says: "Future EPA actions will likely focus on enhancing and expanding materials management infrastructure in the United States, increasing the quality of recovered materials and enhancing end-use markets for recovered materials." My question is: how does EPA plan to do this? Through policy, or other means? Can you provide some detail?

RESPONSE:

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

**From:** Suzanne Yohannan [mailto:suzanne.yohannan@iwpnews.com]  
**Sent:** Tuesday, September 04, 2018 10:41 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: media query - Recycling remarks

Robert,

I do have a couple follow-up questions related to your response below. They relate to the last bullet point below.

Below, you say that EPA **"is communicating with governments at the federal, state, tribal and local levels, as well as stakeholders in the private sector, to determine what steps should be regarding the domestic management of materials."** Can you offer any specifics on these talks? Who specifically are they with? What suggestions is EPA hearing from these groups? When will EPA make decisions on these suggestions?

Also, below, EPA says: **"Future EPA actions will likely focus on enhancing and expanding materials management infrastructure in the United States, increasing the quality of recovered materials and enhancing end-use markets for recovered materials."** My question is: how does EPA plan to do this? Through policy, or other means? Can you provide some detail?

If someone from ORCR is available to answer these via a phone interview, that would be great.

Thanks again.  
Suzanne Yohannan  
Inside EPA  
703-562-8759  
[suzanne@iwpnews.com](mailto:suzanne@iwpnews.com)

On 8/31/2018 3:48 PM, Daguillard, Robert wrote:

Hey Suzanne,

For attribution to "an EPA Spokesperson," please:

1. Could you tell me if he made any of the remarks via webcast to the conference? If so, could I obtain a copy of them, or a web-link to them?
- **Barnes Johnson's session was cancelled so he did not provide remarks remotely.**
2. If he did not make remarks, could you tell me if he planned to announce any new policies or positions on recycling issues? Was he going to address the ongoing crisis the recycling industry is in over export restrictions set by China? If so, when will EPA be announcing those policies/positions?

Does EPA have a position on the issues facing the recycling industry right now? If so, what is it?

- **Recovered materials have provided significant and valuable feedstock for manufacturing in the United States. By converting waste materials into valuable raw materials, recycling creates jobs, builds more competitive manufacturing industries and significantly contributes to the U.S. economy. In addition, many major corporations have committed to ambitious goals to recover materials for reuse, and**

strongly support U.S. recycling infrastructure improvements and market development. In addition to changing markets for recovered materials, the evolution of material use and design and the debris generated by disasters have created an oversupply of materials that stress the materials management system in the United States.

- Recycling is extremely important to governments, manufacturers, retailers and especially to citizens. The U.S. public has a strong desire for direct daily opportunities to participate in protecting the environment. While the responsibility for the collection and management of materials primarily occurs at the local level, EPA is committed to supporting national efforts that result in consistent, high quality and high quantities of processed recycled materials for manufacturing. To achieve this, EPA is communicating with governments at the federal, state, tribal and local levels, as well as stakeholders in the private sector, to determine what steps should be regarding the domestic management of materials. Future EPA actions will likely focus on enhancing and expanding materials management infrastructure in the United States, increasing the quality of recovered materials and enhancing end-use markets for recovered materials.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Suzanne Yohannan [<mailto:suzanne@iwpnews.com>]

**Sent:** Thursday, August 30, 2018 4:52 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** media query - Recycling remarks

Dear Press Officer,

I'm a reporter for Inside EPA. I have a query related to recycling. I know that ORCR Director Barnes Johnson was supposed to speak last week at the SWANA wastecon conference but that he had to back out due to weather-related flight cancellations.

Could you tell me if he made any of the remarks via webcast to the conference? If so, could I obtain a copy of them, or a web-link to them?

If he did not make remarks, could you tell me if he planned to announce any new policies or positions on recycling issues? Was he going to address the ongoing crisis the recycling industry is in over export restrictions set by China? If so, when will EPA be announcing those policies/positions?

Does EPA have a position on the issues facing the recycling industry right now? If so, what is it?

I'm working under a deadline of Thursday (Sept. 6) at 9 a.m.

I can be reached at the email or number below.

Thanks very much.

Suzanne Yohannan

Inside EPA

Superfund Report

703-562-8759

[suzanne@iwpnews.com](mailto:suzanne@iwpnews.com)

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/5/2018 7:47:30 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: For Review: Gimlet Media - Follow-up question on big city-recycling

Ok

Sent from my iPhone

On Sep 5, 2018, at 2:47 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

|                                        |                                        |
|----------------------------------------|----------------------------------------|
| <b>Ex. 5 Deliberative Process (DP)</b> |                                        |
| <b>Ex. 5 Deliberative Process (DP)</b> | OK to send?                            |
| PROPOSED:                              | <b>Ex. 5 Deliberative Process (DP)</b> |
| <b>Ex. 5 Deliberative Process (DP)</b> |                                        |

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

**From:** Wendy Zukerman [mailto:wendyz@gimletmedia.com]  
**Sent:** Tuesday, September 04, 2018 7:12 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Subject: Media Inquiry: Recycling

Hey Rob, I just want some background information on this, no need to quote the EPA directly. I need to know why places tend not to recycle non-rigid plastics. I'm not looking for a gotchya, just genuine information, I'm pretty sure it's just too expensive and doesn't make economic sense for a city to do this, but I'd love more information on why that is. And maybe there are some technical issues with it? Perhaps science hasn't worked out a way to do this on a large scale? Again, can be an informal chat - on background.

Thanks,

Wendy

On Tue, Sep 4, 2018 at 5:54 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Can you send som specific questions?

Robert Daguillard  
U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Sep 4, 2018, at 5:34 PM, Wendy Zukerman <[wendyz@gimletmedia.com](mailto:wendyz@gimletmedia.com)> wrote:

Thanks, this is helpful - can I have a quick chat with you over the phone tomorrow morning? Just on background.

Sent from my iPhone

On Sep 4, 2018, at 4:07 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Dear Ms. Zukerman, for attribution to U.S. EPA, please:

**1) Around the US, what are the kinds of plastics that are recycled? I know all rigid plastics can be recycled in New York - is that true across the US? Does any state regularly recycle non-rigid plastics? Or only a few of the plastics recycled?**

EPA's data are used to characterize the national waste stream and are not disaggregated by state. Recycling of specific types of plastics vary by state and locality.

**2) Why in New York do we only recycle rigid plastics? Is it an issue of economics? Are the products that come from non-rigid plastics not sellable?**

As Region 2 mentioned, we cannot speak to New York's recycling program, but across the United States, we understand that a variety of plastics are recycled. The recycling of plastics overall is relatively low (9.1 percent) though certain plastic products have a higher recycling rate (e.g., the recycling rate for high density polyethylene, HDPE, natural white translucent bottles and polyethylene terephthalate, PET, bottles and jars is around 30 percent).

EPA collects information on the recycling of plastic products and materials in the Advancing Sustainable Materials Management: Facts and Figures report. Table 8, Plastics in Products in Municipal Solid Waste, of the 2015 Data Tables may be of particular interest to you



as it shows the amounts of plastics recycled broken up by various categories including durable goods, non-durable goods and containers and packaging. Additionally, the Data Tables have information about of plastic bags, sacks and wraps. Table 24 of the Data Tables shows that 530,000 tons (.53 million tons), about 12.8 percent, were recycled in 2015. You can find the Data Tables on this web page: <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/advancing-sustainable-materials-management>.

Our website also has explanations about plastics generation, recycling, composting, combustion with energy recovery and landfilling on the following web pages:

- Plastics: Material-Specific Data--  
<https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/plastics-material-specific-data>
- Containers and Packaging, Plastic Containers and Packaging-- <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/containers-and-packaging-product-specific-data#PlasticC&P>
- Nondurable Goods, Plastic Plates and Cups--  
<https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/nondurable-goods-product-specific-data#PlasticPlatesandCups>

There are a number of stakeholders engaged in the conversation around plastics and plastic pollution in the United States that may have additional information for you. For example, the American Chemistry Council (ACC), the American Institute for Packaging and the Environment (AMERIPEN), the Sustainable Packaging Coalition (SPC), the Association of Plastics Recyclers (APR) and Plastics Industry Alliance (PIA) are all working with their members to better understand the educational and infrastructural issues associated with plastics waste collection and recycling and to develop ways to approach this problem. Also, a number of state and local programs and businesses provide collection opportunities for non-rigid plastics through the Wrap Recycling Action Program (WRAP). Plastics collected through this program are used in a number of products available to consumers. A list of WRAP

partners and collection points can be found on their website,  
[www.plasticfilmrecycling.org](http://www.plasticfilmrecycling.org).

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Wendy Zukerman [<mailto:wendyz@gimletmedia.com>]

**Sent:** Friday, August 31, 2018 12:41 PM

**To:** Deegan, Dave <[Deegan.Dave@epa.gov](mailto:Deegan.Dave@epa.gov)>; Mears, Mary  
<[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>

**Subject:** Media Inquiry: Recycling

Dear Dave and Mary,

My name is Wendy Zukerman and I'm the host of the podcast Science Vs, from Gimlet Media. I'm developing a story on plastics, what is recyclable - and why. I'd love to speak with you on background about a few specific questions I have. Alternatively, I can put them in email if it's easier?

1) Around the US, what are the kinds of plastics that are recycled? I know all rigid plastics can be recycled in New York - is that true across the US? Does any state regularly recycle non-rigid plastics? Or only a few of the plastics recycled?

2) Why in New York do we only recycle rigid plastics? Is it an issue of economics? Are the products that come from non-rigid plastics not sellable?

My deadline is **Tuesday 4th September EOD.**

Do you think you could get back to me by then?

Best,

Wendy

--

Wendy Zukerman  
Host, Science Vs podcast, Gimlet Media  
[wendyz@gimletmedia.com](mailto:wendyz@gimletmedia.com)  
+1 917-724-4198

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Wendy Zukerman  
Host, Science Vs podcast, Gimlet Media  
[wendyz@gimletmedia.com](mailto:wendyz@gimletmedia.com)  
+1 917-724-4198

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/5/2018 4:26:26 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Subject:** RE: MOLLY: Abrahm: Your questions for EPA on biodiesel?

Fine with me.

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, September 5, 2018 12:25 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** MOLLY: Abrahm: Your questions for EPA on biodiesel?

Molly, just flagging for you. Please note, the reporter is now suggesting he *\*may\** send specific written questions if we commit to detailed responses, which I feel is a huge step forward.

I don't believe

Ex. 5 Deliberative Process (DP)

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Let me know if you want to discuss further.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Abrahm Lustgarten [mailto:Abrahm.Lustgarten@propublica.org]  
**Sent:** Wednesday, September 05, 2018 12:19 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Robert,

Thank you for the reply. Are you available to speak by phone later today? What you've offered here does not really say anything or answer any questions. The links do not appear to provide any of the draft materials or public comments which I asked for access to. This after more than 5 weeks of waiting.

This won't help my reporting in any way, unfortunately, and I'm further concerned by the apparent lack of access to public material including the comments.

You have not specifically addressed my request for interviews. Can you explain if they are being denied and why? If I submit detailed questions to you which actually pertain to my reporting, will EPA answer them?

Without his how would you expect substantive reflection of Epa interests and efforts in the New York Times and Propublica?

Regards,  
Abrahm

Sent from my iPhone

On Sep 5, 2018, at 11:58 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Abrahm, on background – i.e., for attribution to U.S. EPA, please:

As required by the Clean Air Act, EPA evaluated the lifecycle greenhouse gas (GHG) emissions associated with biofuels used under the Renewable Fuel Standard (RFS) program. The statute says that lifecycle GHG emissions include “direct emissions and significant indirect emissions from land use changes)...” A draft lifecycle GHG analysis (LCA) of soybean-oil biodiesel was conducted for the May 2009 RFS proposed rule (<https://www.gpo.gov/fdsys/pkg/FR-2009-05-26/pdf/E9-10978.pdf>). After extensive public comment, a public workshop, and peer review, the final soy biodiesel LCA results were published in the March 2010 RFS2 rule (<https://www.epa.gov/renewable-fuel-standard-program/renewable-fuel-standard-rfs2-final-rule>). Due to time constraints, the March 2010 RFS2 rule did not include an LCA of palm oil biodiesel, but the preamble stated our intention to conduct one. After extensive data gathering and modeling, we published and sought comment on our palm oil LCA in a January 2012 Notice of Data Availability (<https://www.epa.gov/renewable-fuel-standard-program/learn-more-about-notice-data-availability-noda-renewable-fuels>).

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Abrahm Lustgarten [<mailto:Abrahm.Lustgarten@propublica.org>]  
**Sent:** Thursday, August 30, 2018 6:19 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Robert,

Just following up to keep these requests alive. Could you at least point me to the public records?

Thank you,  
Abrahm

Sent from my iPhone

On Aug 10, 2018, at 1:58 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Abrahm.

Yesterday, you did, in fact, ask us about public comments and minutes for RFS NODAS and LCA studies. Also, your e-mail from last Friday expressed interest in discussing several things, including EPA's process for evaluating feedstocks for biodiesel, or the Agency's consideration of indirect land use change. It is my understanding that our fuels and transportation staff had been working on a response for you.

Having said this, you're more than welcome to send us more specific questions. Regardless of how we get there, we will send you good, solid responses.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Abrahm Lustgarten [<mailto:Abrahm.Lustgarten@propublica.org>]  
**Sent:** Friday, August 10, 2018 4:48 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Robert, again, I have not submitted any questions to you or the EPA. What exactly are they answering and who is answering it? H=Who is expecting that this will meet the needs of my story and news organizations? How do you even know the details of what I am interested in?

Abrahm

---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Friday, August 10, 2018 at 1:24 PM  
**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>  
**Subject:** RE: Abrahm: Your questions for EPA on biodiesel?

Good afternoon Abrahm,

A quick follow-up. I just checked with the fuels and transportation program folks: The person who's working on your questions is out today, so we're now looking at a response no later than the middle of next week.

Sincere apologies for the delay, but we'll get there.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Daguiard, Robert

**Sent:** Thursday, August 09, 2018 4:57 PM

**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>

**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Thanks Abrahm,

Let me check.

Robert Daguiard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Aug 9, 2018, at 4:54 PM, Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)> wrote:

Robert,

Are the public comments and meeting minutes for each of the RFS NODAS and LCA studies posted on the EPA website somewhere? How can I access those public documents. This would concern the 2009 draft, 2010 final reviews for Ethanol, soy and other feedstocks, and the 2012 Palm oil review.

Thank you,

Abrahm

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**From:** "Daguiard, Robert" <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Date:** Thursday, August 9, 2018 at 9:30 AM

**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>

**Subject:** RE: Abrahm: Your questions for EPA on biodiesel?

Good afternoon Abrahm,

Yes, we're working on getting you a written response before the end of the week. Thanks.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Abrahm Lustgarten [<mailto:Abrahm.Lustgarten@propublica.org>]  
**Sent:** Thursday, August 09, 2018 12:27 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Hi Robert,

Checking in on where we stand on this. Think you can help?

Thank you,  
Abrahm Lustgarten

Ex. 6 Personal Privacy (PP)

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**From:** "Daguiard, Robert" <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Date:** Monday, August 6, 2018 at 9:35 AM  
**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>  
**Subject:** RE: Abrahm: Your questions for EPA on biodiesel?

Good afternoon and thanks, Abrahm. One of the colleagues from Sharyn's office today is out sick today. I believe she'll be back tomorrow. At a minimum, I can update you then. Thanks for your patience.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Abrahm Lustgarten [<mailto:Abrahm.Lustgarten@propublica.org>]  
**Sent:** Monday, August 06, 2018 12:14 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** Re: Abrahm: Your questions for EPA on biodiesel?

Hi Robert,

I hope you had a good weekend. I wanted to check in with you in hopes I can connect with Sharyn for this story, today?

Thank you,  
Abrahm

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**From:** "Daguiard, Robert" <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Date:** Friday, August 3, 2018 at 1:27 PM  
**To:** Abrahm Lustgarten <[Abrahm.Lustgarten@propublica.org](mailto:Abrahm.Lustgarten@propublica.org)>  
**Subject:** Abrahm: Your questions for EPA on biodiesel?

Good afternoon Abrahm,



I understand via my colleague Sharyn Lie that you have questions about biodiesel? Thanks in advance for letting us know how we can help. Maybe you'd have time to talk first thing Monday AM?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/22/2018 5:48:15 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Wall Street Journal Inquiry about Food Waste - DDL 8/22

Ok

**From:** Daguillard, Robert  
**Sent:** Wednesday, August 22, 2018 1:44 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Wall Street Journal Inquiry about Food Waste - DDL 8/22

The program says: Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

OK to send?

## Ex. 5 Deliberative Process (DP)

Thank you

~~~~~  
Heather Haddon  
The Wall Street Journal  
312-750-4118 (o)  
Ex. 6 Personal Privacy (PP) (c)  
@heatherhaddon

----- Forwarded message -----

**From:** Heather Haddon <heather.haddon@wsj.com>  
**Date:** Tue, Aug 21, 2018 at 8:19 PM  
**Subject:** Re: Subject: Press Inquiry about Food Waste  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>

Hi Tricia,

This is Heather from the Journal. I'm doing a story tomorrow on disposable plastic bag use in the US and recycling. I'm looking for stats. I saw this EPA blog post, and wondering if these stats are still current, and if I can attribute them to the EPA if so. Would you be able to look into this tomorrow (Wednesday?)

Thanks in advance,

Heather

~~~~~  
Heather Haddon  
The Wall Street Journal  
312-750-4118 (o)  

Ex. 6 Personal Privacy (PP) (C)

  
@heatherhaddon

On Fri, Dec 29, 2017 at 10:05 AM Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Hi Heather—

Robert's out today, but I actually cover food waste now, so you're in the right place.

Can you please send a list of your specific questions and your hard deadline so we can get started?

Thanks so much,

Tricia

---

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

**From:** Haddon, Heather [mailto:[heather.haddon@wsj.com](mailto:heather.haddon@wsj.com)]  
**Sent:** Friday, December 29, 2017 10:46 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Subject: Press Inquiry about Food Waste

Hello Robert,

I'm interested in potentially exploring a story about the EPA's food waste efforts, including anything to potentially back FoodMaven or other startups addressing the issue. Could I arrange for an interview with a subject expert in this area? Let me know what's possible when you can.

Thanks in advance.

Heather

On Thu, Oct 26, 2017 at 3:11 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Heather, for attribution to "an EPA spokesperson," please:

Food Maven participated in the Midwest Food Recovery Summit in Des Moines, IA in early September (<https://iwrc.uni.edu/foodrecoverysummit/speakers/bultema>) in the Thursday, 9/7 panel session, Tools and Resources to Promote Recovery and Donation Efforts.

EPA supports a variety of efforts and strategies that reduce the amount of wholesome, nutritious food going to landfills. See our Food Recovery Hierarchy (<https://www.epa.gov/sustainable-management-food/food-recovery-hierarchy>).

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Haddon, Heather [mailto:heather.haddon@wsj.com]

**Sent:** Thursday, October 26, 2017 2:08 PM

**To:** StClair, Christie <StClair.Christie@epa.gov>

**Subject:** Press Inquiry about Food Waste

Hello,

I'm the food retail reporter for the Journal, and am working on a story about a Colorado company that has built a marketplace to sell food waste to restaurants and food service companies. It's called Food Maven. My understanding is that the EPA had the CEO of the company, Patrick Bultema, speak at a recent conference. Looking to confirm and get some detail if so, or if the agency supports this effort more generally. Any response by tomorrow would be most appreciated. I'm at my desk if it would help to discuss.

Thanks,

Heather

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~~~~~  
Heather Haddon  
Wall Street Journal  
312-750-4118 (o)  
Ex. 6 Personal Privacy (PP) (c)  
@heatherhaddon

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~~~~~  
Heather Haddon  
The Wall Street Journal  
312-750-4118 (o)  
Ex. 6 Personal Privacy (PP) (C)  
@heatherhaddon

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/22/2018 2:54:48 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: EE News (M. Heller) - 8/22 - RFS and cellulosic production registration applications

Good to go. Let's send it on background.

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, August 22, 2018 10:15 AM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: EE News (M. Heller) - 8/22 - RFS and cellulosic production registration applications

Response from the program. I'm agnostic over whether to send it for attribution to a spokesperson, or on background. Please advise.

## Ex. 5 Deliberative Process (DP)

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**From:** Marc Heller [<mailto:mheller@eenews.net>]  
**Sent:** Tuesday, August 21, 2018 12:00 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RFS and cellulosic production registration applications

Hi, Robert. it's a bit of a mouthful, and a kind of obscure issue, but I noted some complaints that EPA is moving too slowly on reviewing these things. And that, in reviewing the proposed RVO rule, the agency should increase volumes for cellulosic.

What's the agency's view of this? Why aren't applications being processed more quickly? Industry folks say this is a lot slower than in 2017 and prior years.

Writing by noon tomorrow, so there's a little time to work with. I'm best reached by email, or cell at Ex. 6 Personal Privacy (PP)

Thanks,

marc

Marc Heller  
Agriculture Reporter  
E&E News  
(202) 446-0411  
[mheller@eenews.net](mailto:mheller@eenews.net)  
[www.eenews.net](http://www.eenews.net)



Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/28/2018 1:58:08 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Snopes.com - Asbestos - Follow-up

Ok fine to share.

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, August 28, 2018 9:57 AM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review: Snopes.com - Asbestos - Follow-up

Yes, Erik has seen, and approved, everything.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Block, Molly  
**Sent:** Tuesday, August 28, 2018 9:50 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review: Snopes.com - Asbestos - Follow-up

Can you make sure Erik has seen the second answer?

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, August 28, 2018 9:49 AM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review: Snopes.com - Asbestos - Follow-up

Erik for the first graph, Nancy for the rest.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

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**From:** Block, Molly  
**Sent:** Tuesday, August 28, 2018 9:47 AM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>

Subject: RE: For Review: Snopes.com - Asbestos - Follow-up

Have these been ok'd by both Nancy and Erik? Especially the second one...

---

From: Daguillard, Robert

Sent: Tuesday, August 28, 2018 9:34 AM

To: Press <Press@epa.gov>

Subject: For Review: Snopes.com - Asbestos - Follow-up

Nancy Beck and Erik Baptist (both out of the office now) wanted to respond to the reporter's note from yesterday. Please advise if this is OK to send:

RESPONSE:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Statement: "As a result of that stipulation, any conceivable use in the future that *does not* fall into those categories would, in fact, not be required to undergo any risk evaluation, and therefore "may begin at any time, without any regulatory barriers." "

Response:

Ex. 5 Deliberative Process (DP)

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## Ex. 5 Deliberative Process (DP)

Statement: I take exception, as well, with your framing of the issue to suggest that the Obama administration had the chance to block these uses and did not. A 25 April 2018 [email](#) to members of the asbestos SNUR team from Robert Courtnage, obtained by the *New York Times*, pretty clearly shows that that the original plan for the SNUR was, in fact, to affect a blanket ban on all unregulated uses, but "upper management" requested "a different approach":

Response:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Alex Kasprak [<mailto:alex@snopes.com>]

Sent: Monday, August 27, 2018 4:29 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: David Mikkelsen <[snopes@snopes.com](mailto:snopes@snopes.com)>

Subject: Re: Media inquiry: Snopes.com

Hello Robert,

I have read through your comments on our piece, spoken with outside experts, and conducted further research. I agree that a clarification is in order regarding the legal status of currently unregulated asbestos. I am in error in saying that "new uses" — as legally defined in EPA court rulings — were previously banned.

I disagree with your assertion, at least as argued in the document you sent me, that the proposed SNUR does not allow for novel asbestos uses to be approved for use in the future. My primary reason for this disagreement is the suggestion that you are committing to a complete ban on all currently unregulated uses of asbestos when it appears you are not.

My understanding of this SNUR is that it is an enforceable prohibition only for specifically defined uses:

- Adhesives, sealants, and roof and non-roof coatings;
- arc chutes;
- beater-add gaskets;
- extruded sealant tape and other tape;
- filler for acetylene cylinders;
- high-grade electrical paper;
- millboard;
- missile liner;
- pipeline wrap;
- reinforced plastics;
- roofing felt;
- separators in fuel cells and batteries;
- vinyl-asbestos floor tile;
- and any other building material (other than cement).

As a result of that stipulation, any conceivable use in the future that *does not* fall into those categories would, in fact, not be required to undergo any risk evaluation, and therefore “may begin at any time, without any regulatory barriers.” Please correct me if I am wrong in this assertion.

I take exception, as well, with your framing of the issue to suggest that the Obama administration had the chance to block these uses and did not. A 25 April 2018 email to members of the asbestos SNUR team from Robert Courtnage, obtained by the *New York Times*, pretty clearly shows that that the original plan for the SNUR was, in fact, to affect a blanket ban on all unregulated uses, but “upper management” requested “a different approach”:

After sharing a draft of the proposed SNUR, OCSPP upper management asked us to take a different approach. Instead of requiring a significant new notice (SNUN) for all uses that are not ongoing, after listing and clarifying the currently ongoing uses would not require a SNUN, they have instead asked us to specifically list out certain uses that are no longer ongoing that will require a SNUN.

More generally, your framing of the SNUR regarding asbestos seems to overlook the possibility that any other uses which pass the safety review would, in fact, be approved for use. While I understand the argument that technically these unregulated uses were already allowed, I find that assertion to also be misleading. Your process, in theory, could bestow legal protections upon some of these unregulated uses (as long as they pass your safety review), and although the result may not be a “new use” as understood by the Fifth Circuit Court of Appeals, it would certainly be a “new use” as understood by the average American.

We are planning on correcting some supporting elements in the original fact check, but for the reasons described above, we do not plan on changing the rating.

We are also planning on running an additional story regarding the PR campaign the EPA has apparently initiated to defend their SNUR, which will explain in more detail why we are not changing

the rating. **We would appreciate any comments on the above concerns, as our story will run tomorrow.**

Best,

Alex Kasprak

On Fri, Aug 24, 2018 at 1:56 PM, Alex Kasprak <[alex@snopes.com](mailto:alex@snopes.com)> wrote:

Thank you. Let me review these over the weekend and get back to you on Monday with any questions or concerns. Broadly, I am having trouble squaring how you describe the SNUR process in this critique with your assertion that the proposed SNUR process does not provide a framework for new uses to be approved.

"The June 2018 proposed rule would ban the identified new uses of asbestos and, therefore, would require EPA to evaluate any intended new use of asbestos and, **when necessary**, continue to disallow uses."

What happens when disallowing its use is not "necessary"? Would that not, then, be a formal approval for a new use that came to light through the SNUR?

Best,

Alex

On Fri, Aug 24, 2018 at 1:36 PM, Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Thanks, Alex. We hope the attached – for attribution to U.S. EPA, please – is helpful.

Let us know if you have any questions or comments.

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Alex Kasprak [mailto:[alex@snopes.com](mailto:alex@snopes.com)]

**Sent:** Friday, August 24, 2018 4:31 PM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Re: Media inquiry: Snopes.com

I am. How can I help?

Best,

Alex

On Fri, Aug 24, 2018 at 1:28 PM, Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Good afternoon Alex,

Are you the right contact to discuss Snopes' recent post on EPA's regulation of Asbestos?

Thanks in advance.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/9/2018 1:09:44 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW: Bloomberg News (B. Jackson) - Clean Natural Gas - ASAP

Ok

---

**From:** Daguillard, Robert  
**Sent:** Thursday, August 9, 2018 9:08 AM  
**To:** Press <Press@epa.gov>  
**Subject:** RE: FOR REVIEW: Bloomberg News (B. Jackson) - Clean Natural Gas - ASAP

Good morning. OK to send?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, August 08, 2018 5:20 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Bloomberg News (B. Jackson) - Clean Natural Gas - ASAP

SUMMARY: Brianna Jackson, Bloomberg, had questions about Clean Natural Gas as a fuel; I recommend sending the questions the program has answered thus far, as the reporter has been pinged. We can get her the remaining answer (program comment highlighted below) when the program gets to it. Brianna Jackson – Bloomberg News – [bjackson125@bloomberg.net](mailto:bjackson125@bloomberg.net)

PROPOSED RESPONSE, for attribution:

- About 40 percent of transit buses in the U.S. run on CNG?

A: **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

- About 60 percent of trash trucks in the U.S. run on CNG?

A: **Ex. 5 Deliberative Process (DP)**

- Natural gas is 90 percent cleaner than the EPA's current NOx standard?

A: **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

- The EPA's current NOx standard is 0.2 grams per brake horsepower per hour?

A: **Ex. 5 Deliberative Process (DP)**

- Natural gas leaks about 21 percent fewer greenhouse gas emissions than regular gas and diesel?

A: **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

- Also, could you give me some numbers on how much penetration clean diesel has right now and how clean it is?

A:

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Daguiard, Robert  
**Sent:** Wednesday, August 01, 2018 10:14 AM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>; Brianna Jackson <[bjackson125@bloomberg.net](mailto:bjackson125@bloomberg.net)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Reaching out...

Brianna, as per our phone conversation yesterday, feel free to check with me on the status of this inquiry. We can connect later today, if you like.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Jones, Enesta  
**Sent:** Wednesday, August 01, 2018 10:11 AM  
**To:** Brianna Jackson <[bjackson125@bloomberg.net](mailto:bjackson125@bloomberg.net)>  
**Cc:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Reaching out...

Hi Brianna, Robert Daguiard is your contact. He should be in contact ASAP with a status update.

On Aug 1, 2018, at 10:10 AM, Brianna Jackson (BLOOMBERG/ NEWSROOM:) <[bjackson125@bloomberg.net](mailto:bjackson125@bloomberg.net)> wrote:

Good morning Enesta,  
Thank you again for the update on those numbers I wanted to check. Just wanted to send you a note to keep me updated on if anyone responds to you today. If I could get it by the end of the day Friday that would be perfect.

Cheers,  
Brianna



Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 8/1/2018 2:04:46 PM  
**To:** Dennis, Allison [Dennis.Allison@epa.gov]  
**Subject:** Re: 8/1 OCWD WIFIA Event & Announcement Materials: UPDATE

That's fine with me.

Sent from my iPhone

On Aug 1, 2018, at 10:03 AM, Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)> wrote:

On Rohrabacher- ok if I change it to this?

**Ex. 5 Deliberative Process (DP)**

After looking at other recent EPA PRs, that seems to be convention we've been using. But I'm ok with going what what you proposed too:

**Ex. 5 Deliberative Process (DP)**

---

**From:** Block, Molly  
**Sent:** Wednesday, August 01, 2018 9:49 AM  
**To:** Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>  
**Cc:** Shimmin, Kaitlyn <[shimmin.kaitlyn@epa.gov](mailto:shimmin.kaitlyn@epa.gov)>; Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Zito, Kelly <[ZITO.KELLY@EPA.GOV](mailto:ZITO.KELLY@EPA.GOV)>; Hannon, Arnita <[Hannon.Arnita@epa.gov](mailto:Hannon.Arnita@epa.gov)>; Cook-Shyovitz, Becky <[Cook-Shyovitz.Becky@epa.gov](mailto:Cook-Shyovitz.Becky@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Klasen, Matthew <[Klasen.Matthew@epa.gov](mailto:Klasen.Matthew@epa.gov)>; Kaiser, Sven-Erik <[Kaiser.Sven-Erik@epa.gov](mailto:Kaiser.Sven-Erik@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Borum, Denis <[Borum.Denis@epa.gov](mailto:Borum.Denis@epa.gov)>; Mogharabi, Nahal <[MOGHARABI.NAHAL@EPA.GOV](mailto:MOGHARABI.NAHAL@EPA.GOV)>; Orquina, Jessica <[Orquina.Jessica@epa.gov](mailto:Orquina.Jessica@epa.gov)>; Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>; Wade, James <[Wade.James@epa.gov](mailto:Wade.James@epa.gov)>; Morin, Jeff <[Morin.Jeff@epa.gov](mailto:Morin.Jeff@epa.gov)>; Barkett, Bonnie <[Barkett.Bonnie@epa.gov](mailto:Barkett.Bonnie@epa.gov)>  
**Subject:** Re: 8/1 OCWD WIFIA Event & Announcement Materials: UPDATE

Take out the apostrophe in the title for Dave. Should be EPA office of water...

For the congressman's quote let's to do this for attribution: **Ex. 5 Deliberative Process (DP)** I may have gotten the spelling or district wrong but that's how it should look.

I'm at the senate hearing rn but those were just a few things that popped out. Otherwise she's fine to go.

And there's an unnecessary comma in the second paragraph between EPA pacific southwest regional administrator and mike Stoker.

Sent from my iPhone

On Jul 31, 2018, at 7:37 PM, Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)> wrote:

Attached is the revised release that now includes the following quote.

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

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**From:** Dennis, Allison

**Sent:** Tuesday, July 31, 2018 3:22 PM

**To:** Shimmin, Kaitlyn; Rodrick, Christian

**Cc:** Konkus, John; Grantham, Nancy; Block, Molly; Hewitt, James; Ringel, Aaron; Zito, Kelly; Hannon, Arnita; Cook-Shyovitz, Becky; Bowles, Jack; Drinkard, Andrea; Klasen, Matthew; Kaiser, Sven-Erik; Richardson, RobinH; Borum, Denis; Mogharabi, Nahal; Orquina, Jessica; Lynn, Tricia; Wade, James; Morin, Jeff; Barkett, Bonnie

**Subject:** RE: 8/1 OCWD WIFIA Event & Announcement Materials: UPDATE

Attached is an updated RSVP list for tomorrow's event though OWCD expects several more RSVPs to roll in throughout the day. One update to the event itself:

Ex. 5 Deliberative Process (DP)

He

will speak right after

Ex. 5 Deliberative Process (DP)

**Q: Any interest inviting**

Ex. 5 Deliberative Process (DP)

**to submit a quote in our release? If so, OWCD can do the reach out.**

Outstanding items:

Social media- we need OPA's green light on the social media pasted below.

Press Release- We are still waiting on the requested quote from Ex. 5 Deliberative Process (DP) office, which his office said will come later today. Attached is the latest version of the PR which we would like issued by R9 at 2:30 pm eastern tomorrow w/DC amplification. **Any way we can get the PR finalized tonight so that Nahal can print copies of it to bring to tomorrow morning's event?**

Infographics- let us know if you have any edits to the attached.

EPA Homepage – Jessica- any way we can get an another homepage banner up this week or next to mark this loan?

---

**From:** Dennis, Allison  
**Sent:** Monday, July 30, 2018 4:26 PM  
**To:** Shimmin, Kaitlyn <[shimmin.kaitlyn@epa.gov](mailto:shimmin.kaitlyn@epa.gov)>; Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>  
**Cc:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Zito, Kelly <[ZITO.KELLY@EPA.GOV](mailto:ZITO.KELLY@EPA.GOV)>; Hannon, Arnita <[Hannon.Arnita@epa.gov](mailto:Hannon.Arnita@epa.gov)>; Cook-Shyovitz, Becky <[Cook-Shyovitz.Becky@epa.gov](mailto:Cook-Shyovitz.Becky@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Klasen, Matthew <[Klasen.Matthew@epa.gov](mailto:Klasen.Matthew@epa.gov)>; Kaiser, Sven-Erik <[Kaiser.Sven-Erik@epa.gov](mailto:Kaiser.Sven-Erik@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Borum, Denis <[Borum.Denis@epa.gov](mailto:Borum.Denis@epa.gov)>; Mogharabi, Nahal <[MOGHARABI.NAHAL@EPA.GOV](mailto:MOGHARABI.NAHAL@EPA.GOV)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>; Orquina, Jessica <[Orquina.Jessica@epa.gov](mailto:Orquina.Jessica@epa.gov)>; Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>; Wade, James <[Wade.James@epa.gov](mailto:Wade.James@epa.gov)>  
**Subject:** RE: 8/1 OCWD WIFIA Event & Announcement Materials

Hi Kaitlyn,

Nahal Mogharabi of R9 public affairs (cc'ed) is on point for this event and she is planning to be on site early to ensure everything is set up correctly. We will provide an updated list of attendees tomorrow. We don't expect any changes to the planned speaker list. See the latest media advisory and run of show attached.

A few questions and notes to OCIR and OPA:

**Congressional notifications:** I attached our proposed plan for notifications that are set to take place tomorrow afternoon.

Quotes for EPA PR: OWCD will reach out to **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)** We are planning to **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

**Advisory and Release timing-** Is it ok if R9 issues the attached media advisory  
**Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)** We will share a revised press release for final review tomorrow, once we have the event details firmed up.

**Social Media** – pasted below is draft social media for OPA approval

**Infographics**- attached are the final infographics for OPA approval

**EPA Homepage** – Jessica- any way we can get an another homepage banner up this week or next to mark this loan?

**Orange County Social Media**

**EPA mainFB:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

**EPA Main Twitter:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

**EPAwater Twitter:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

**EPAwater FB:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

**EPA R9 FB:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

**EPA R9 Twitter:** Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)**

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**From:** Shimmin, Kaitlyn  
**Sent:** Monday, July 30, 2018 12:00 PM  
**To:** Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>; Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>  
**Cc:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Zito, Kelly <[ZITO.KELLY@EPA.GOV](mailto:ZITO.KELLY@EPA.GOV)>; Hannon, Arnita <[Hannon.Arnita@epa.gov](mailto:Hannon.Arnita@epa.gov)>; Cook-Shyovitz, Becky <[Cook-Shyovitz.Becky@epa.gov](mailto:Cook-Shyovitz.Becky@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Klasen, Matthew <[Klasen.Matthew@epa.gov](mailto:Klasen.Matthew@epa.gov)>; Kaiser, Sven-Erik <[Kaiser.Sven-Erik@epa.gov](mailto:Kaiser.Sven-Erik@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Borum, Denis <[Borum.Denis@epa.gov](mailto:Borum.Denis@epa.gov)>; Mogharabi, Nahal <[MOGHARABI.NAHAL@EPA.GOV](mailto:MOGHARABI.NAHAL@EPA.GOV)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>  
**Subject:** RE: 8/1 OCWD WIFIA Event & Announcement Materials

Do we have an updated list of attendees? And will R9 be doing a walk through before the event?

Thanks!

**Kaitlyn Shimmin**

*White House Liaison*

U.S. Environmental Protection Agency

1200 Pennsylvania Ave., N.W.

Washington, D.C. 20460

O: (202) 564-4108<[Outlook-tnfclzqx.png](#)>

C: Ex. 6 Personal Privacy (PP)<[Outlook-hi4i5cpr.png](#)>

[Shimmin.Kaitlyn@epa.gov](mailto:Shimmin.Kaitlyn@epa.gov)

---

**From:** Rodrick, Christian  
**Sent:** Wednesday, July 25, 2018 11:05 AM  
**To:** Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>  
**Cc:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Shimmin, Kaitlyn <[shimmin.kaitlyn@epa.gov](mailto:shimmin.kaitlyn@epa.gov)>; Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Zito, Kelly <[ZITO.KELLY@EPA.GOV](mailto:ZITO.KELLY@EPA.GOV)>; Hannon, Arnita <[Hannon.Arnita@epa.gov](mailto:Hannon.Arnita@epa.gov)>; Cook-Shyovitz, Becky <[Cook-Shyovitz.Becky@epa.gov](mailto:Cook-Shyovitz.Becky@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Klasen, Matthew <[Klasen.Matthew@epa.gov](mailto:Klasen.Matthew@epa.gov)>; Kaiser, Sven-Erik <[Kaiser.Sven-Erik@epa.gov](mailto:Kaiser.Sven-Erik@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Borum, Denis <[Borum.Denis@epa.gov](mailto:Borum.Denis@epa.gov)>; Mogharabi, Nahal <[MOGHARABI.NAHAL@EPA.GOV](mailto:MOGHARABI.NAHAL@EPA.GOV)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>  
**Subject:** RE: 8/1 OCWD WIFIA Event & Announcement Materials

Allison, if you're free I am around my desk now and we can chat, or we can chat later. Just let me know what works. I am happy to have us send the invites here from HQ, or have the region or OWCD. I just want to make sure we are at least Cc'd on any invites that go in writing to the hill.

Re. Speaking, if timing allows it I think it makes sense to give them the opportunity to speak. I suspect not all of them will be able to attend/want to. But better to offer if we can.

*Christian Rodrick*

*Special Assistant*

*Congressional Affairs U.S. EPA*

*O: (202) 564-4828<[Outlook-ta11d5o.png](#)>*

---

**From:** Dennis, Allison  
**Sent:** Wednesday, July 25, 2018 11:01 AM

**To:** Rodrick, Christian <rodrick.christian@epa.gov>  
**Cc:** Konkus, John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Block, Molly <block.molly@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Zito, Kelly <ZITO.KELLY@EPA.GOV>; Hannon, Arnita <Hannon.Arnita@epa.gov>; Cook-Shyovitz, Becky <Cook-Shyovitz.Becky@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Klasen, Matthew <Klasen.Matthew@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>; Mogharabi, Nahal <MOGHARABI.NAHAL@EPA.GOV>; Lyons, Troy <lyons.troy@epa.gov>; Palich, Christian <palich.christian@epa.gov>  
**Subject:** Re: 8/1 OCWD WIFIA Event & Announcement Materials

Hi Christian,

Thank you for the quick and helpful feedback. Yep, we

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Yes, OWCD got a little ahead of us and did all of the reach out to invited speakers so far.

### Ex. 5 Deliberative Process (DP)

speak at the event or receive a special call to invite them to event? If so, do you have a preference for who does the reach out?

Are you comfortable with OWCD/R9 issuing the invitation text out to the invitee list today? Happy to give you a call to talk this through too! -Allison

---

**From:** Rodrick, Christian

**Sent:** Wednesday, July 25, 2018 10:46 AM

**To:** Dennis, Allison

**Cc:** Konkus, John; Grantham, Nancy; Block, Molly; Hewitt, James; Shimmin, Kaitlyn; Ringel, Aaron; Zito, Kelly; Hannon, Arnita; Cook-Shyovitz, Becky; Bowles, Jack; Drinkard, Andrea; Klasen, Matthew; Kaiser, Sven-Erik; Richardson, RobinH;

Borum, Denis; Mogharabi, Nahal; Lyons, Troy; Palich, Christian  
**Subject:** Re: 8/1 OCWD WIFIA Event & Announcement Materials

Hey Allison,

Thanks for this. Definitely think it makes to **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)** would  
probably be good to get an invite.

Who has done the invites so far? We are happy to do invites here at HQ, or have the region do them. HQ would just liked to be looped in. Happy to speak directly if that's helpful.

Thanks,

Christian Rodrick

Sent from my iPhone

On Jul 25, 2018, at 10:43 AM, Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)> wrote:

Attached for your review is this announcement's:

- rollout plan
- 8/1 R9 press release
- 7/31 R9 media advisory
- event run of show
- invitation text (with your approval, we would like to issue this **today** to the attached invitee list (excel chart)
- updated project fact sheet

These materials reflect initial input from OCIR and have been approved by borrower and R9. Edits welcome. I am sharing these materials with Lee for review tonight. Social Media and infographics will come later today.

A few outstanding questions/notes:



**Event Speakers and Invitee List:** OWCD reached out to the following to speak at the event:

- - 
  - 
  - 
  - 
  - 
  -
- Ex. 5 Deliberative Process (DP)**

Do you want to invite anyone else to speak at this event? If so, who do you prefer does the reach out (OWCD, R9, etc?) Also, is there anyone else we should on our invitation list-- perhaps

**Ex. 5 Deliberative Process (DP)**

**Quotes for the Press Release:** We think it makes sense to

**Ex. 5 Deliberative Process (DP)**

If you agree, OWCD has offered to do the reach out for the quote since they already in communications with his office. does this work for you? Is there anyone else you would like to invite to submit a quote?

**OCIR congressional notifications:** We are very interested in hearing your preference on who gets a call/who's doing the call/timing of the call. See our rollout plan for suggested timing. R9 and Sven's team stands ready to help!

Thanks! -Allison

<OC WIFIA Rollout\_071018.docx>

<OCWD WIFIA PR\_072318.docx>

<OCWD\_WIFIAProjectFactsheet\_LoanCloseV3.docx>

<Media Advisory OCWD WIFIA Event DRAFT 7 25 18.docx>

<OCWD WIFIA Event Invitaion DRAFT 7 25 18.docx>

<WIFIA Loan Announcement Invite List.xlsx>

<OCWD WIFIA PR\_073118.docx>

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/17/2019 6:42:29 PM  
**To:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: CASAC consultant pool

You can let him know about **Ex. 5 Deliberative Process (DP)**

Sent from my iPhone

On Sep 17, 2019, at 2:41 PM, Sauerhage, Maggie <Sauerhage.Maggie@epa.gov> wrote:

**Ex. 5 Deliberative Process (DP)**

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: **Ex. 6 Personal Privacy (PP)**

---

**From:** Sean Reilly <sreilly@eenews.net>  
**Sent:** Tuesday, September 17, 2019 2:35 PM  
**To:** Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: CASAC consultant pool

Thanks, Maggie. And can I get a list of all those were recommended or nominated, even if they weren't ultimately chosen for the pool?

Sean

Sean Reilly  
Reporter  
E&E News  
**Ex. 6 Personal Privacy (PP)** Cell)  
202-446-0433 (Desk)  
Skype: Sreilly\_69  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

**E&E NEWS**  
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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

---

**From:** Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>  
**Sent:** Tuesday, September 17, 2019 2:33 PM  
**To:** Sean Reilly <sreilly@eenews.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: CASAC consultant pool

Good afternoon,

The pool of subject matter experts are all highly regarded experts in their fields. The Administrator named the pool following recommendations and nominations from the public. All candidates for the CASAC pool of consultants had to file the same confidential financial disclosure forms as all other Special Government Employees. EPA Ethics Officials reviewed these forms and did not identify any conflicts of interest for the 12 consultants that were selected. The Administrator, and the CASAC look forward to hearing from this pool of experts as they review and comment on issues before EPA. – **EPA spokesperson Corry Schiermeyer**

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

---

**From:** Sean Reilly <sreilly@eenews.net>  
**Sent:** Tuesday, September 17, 2019 2:00 PM  
**To:** Press <Press@epa.gov>  
**Subject:** CASAC consultant pool

Hi folks:

I'm working on a story for tomorrow that will look more closely at the backgrounds of some of the pool's members. A couple of questions:

- 1) Can I get a full list of all nominees/candidates who were considered for the pool?
- 2) The story will note the industry connections of some (e.g., Mr. Jansen) and the fact that some (e.g., Dr. Sax and Dr. Rhomberg) were nominated by the National Rural Electric Cooperative Association and/or have previously taken positions that questioned the need to strengthen a particular NAAQS. The story may also note that some (e.g., Dr. Aliferis) appear to have little, if any, background in current air pollution research. What were Mr. Wheeler's guiding criteria in making selections for this pool?

My deadline is 10:30 a.m. tomorrow. For-attribution responses, please.

Thanks,  
Sean

Sean Reilly  
Reporter  
E&E News  
Ex. 6 Personal Privacy (PP) (Cell)  
202-446-0433 (Desk)

Skype: Sreilly\_69

[sreilly@eenews.net](mailto:sreilly@eenews.net)

Twitter: @SeanatGreenwire

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/17/2019 3:06:13 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Press Inquiry: Speak to someone about storm/flood clean up?

It can come from you.

---

**From:** Jones, Enesta  
**Sent:** Tuesday, September 17, 2019 11:03 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Fwd: Press Inquiry: Speak to someone about storm/flood clean up?

3F, who can they attribute the response to?

Begin forwarded message:

**From:** Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)>  
**Date:** September 17, 2019 at 10:37:59 AM EDT  
**To:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>, "Mears, Mary" <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>, "Rodriguez, Elias" <[Rodriguez.Elias@epa.gov](mailto:Rodriguez.Elias@epa.gov)>  
**Subject:** Re: Press Inquiry: Speak to someone about storm/flood clean up?

Hello Enesta,

Is there a name we can attribute to directly?

On Tue, Sep 10, 2019 at 5:28 PM Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Haniya,

Please see our response below.

**Attributable to an EPA Spokesperson:** The moisture levels to which you are referring indicate optimal comfort levels for occupants under every-day circumstances and are not related to appropriate humidity levels for buildings that have experienced flooding or other water damage. To know if it is safe to bring drywall, wood, or furniture into a flood-damaged building, please discuss with your contractor or home inspector.

On Sep 10, 2019, at 3:50 PM, Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)> wrote:

Thank you so much, Enesta.

For moisture levels, I see that you recommend that it's ideally between 30 and 50 percent—is that humidity level safe to put wood/furniture/drywall back in your home as well?

On Tue, Sep 10, 2019 at 2:48 PM Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hello Haniya,

Please see our responses below, attributable to an EPA Spokesperson.

**What do you do first if you smell gas or see downed powerlines near your home?**

CDC and FEMA offer guidance. Please contact them.

**Are shovels the best way to remove debris from your home? Where should debris be piled up?**

Use of Shovel -- Be careful when moving furnishings or debris, because they may be waterlogged and heavier after a flood. What tools should be used to safely clean up debris will depend on several factors including the amount and type of debris, location and situation.

Debris Cleanup -- Check to see if your local government/municipality has a disaster debris management plan for specific guidelines in your area. In general, debris placed from the sidewalk toward your property will not be picked up. Contractors cannot collect items on private property. Do not set debris against trees or poles. Doing so makes it harder for cleanup crews to scoop up the items. Homeowners may be asked to separate debris into categories (eg., household garbage, construction debris, household hazardous waste, goods/appliances, electronics, etc.). For more information see <https://www.epa.gov/natural-disasters/managing-debris-after-natural-disaster>

**If you have a dehumidifier (or multiple dehumidifiers), where should it be placed?**

A dehumidifier reduces the amount of moisture in the air and can be an important part of post-flood cleanups to aid in the drying process. Although fans may be used to move moisture into the air from wet surfaces and materials, unless that moisture is removed from the air, it can re-condense on those surfaces and materials. Where to place the dehumidifier or multiple dehumidifiers depends upon several factors including type and power of the dehumidifier and your personal situation.

**How long should you keep an airflow through a house if you're trying to dry it out? Is there a magic number or moisture level? If you have to remove drywall, how long should you leave your walls open and allow to dry? Is there an indoor moisture level recommended?**

The amount of time it takes to completely dry a house varies and depends on several factors including moisture content of the air being used to ventilate, where the moisture is located and the nature, types and porosity of the materials inside that need to dry. It is important to note that once the liquid water is removed from the building and the large open surfaces are dry to the touch, problem water can still remain in cavities, cracks, and porous materials. If drying efforts stop too soon, microbial growth may begin or recur.

If it is not raining outside, opening windows and doors will provide a great deal of ventilation. How quickly things dry depends on how dry the outdoor air is compared to the indoor air. If the outdoor air is warm and dry, the building will dry quicker but if the air is hot and humid things will dry more slowly.

How quickly things dry also depends on the nature of the materials and whether the item or assembly contains cavities, joints, cracks, or porous materials that make it difficult to air dry. Cracks are often hard to dry because liquid water can be held between them and may be too small to blow air through or wipe out with a rag. Air movement, dry air, and heat are needed to dry cavities, cracks, and porous materials. Some cavities such as cabinets, drawers, air handlers, and plumbing walls can be opened and aired out. Other cavities can only be accessed by removing built-in cabinets or making holes in the kick spaces, soffits, and wall or ceiling cavities. Opening these cavities greatly increases the drying rate.

**If objects/surfaces in your home feel dry after a flood, should you just assume that they could still harbor mold?**

If the house has been closed up for several days, enter briefly to open doors and windows to let the house air out for a while (at least 30 minutes) before you stay for any length of time.

Things that remain wet for more than two days usually get moldy. If you were not able to dry your home (including furniture and other items) within 24-48 hours, you should assume you have mold growth. In addition, beyond mold, microorganisms such as bacteria can multiply and grow in standing water. Even when flooding is due to rainwater, floodwater can get mixed with sewage, dirt, or other substances and bring contaminants such as bacteria and chemicals into your home.

**How soon can you replace vinyl, carpet, furniture, and other surfaces?**

A home/area that has been flooded should first be determined to be safe, with no structural, electrical or other hazards. After which ensure that the house/area is completely cleaned and dry before beginning to replace items in the home.

**Is there any certification that people should look for if a contractor offers their services for mold cleanup? (ie: how do people know whether they're being scammed?)**

Hire a mold inspection or remediation professional affiliated with or certified by the National Environmental Health Association (NEHA), the American Industrial Hygiene Association (AIHA), the Institute of Inspection, Cleaning and Restoration Certification (IICRC), or American Council for Accredited Certification (ACAC) to inspect, repair, and restore the damaged parts of your home. Your state also may regulate mold remediation.

Additional resources:

Homeowner's and Renter's Guide to Mold Cleanup After Disasters -<https://www.epa.gov/mold/homeowners-and-renters-guide-mold-cleanup-after-disasters>

On Sep 10, 2019, at 9:46 AM, Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)> wrote:

Hello,

We're working on a story about cleaning up your home after a flood. I was wondering if I could speak to an expert for attribution who can talk about mold and cleanup. I'd need to speak to someone before EOD. Thanks!

--

Haniya Rae  
Associate Content Manager, Home & Appliance  
Consumer Reports Magazine  
101 Truman Avenue, Yonkers, NY 10703  
O: 914 378 2012  
M: Ex. 6 Personal Privacy (PP)  
[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)

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Haniya Rae  
Associate Content Manager, Home & Appliance  
Consumer Reports Magazine  
101 Truman Avenue, Yonkers, NY 10703  
O: 914 378 2012  
M: Ex. 6 Personal Privacy (PP)  
[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)



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Haniya Rae  
Associate Content Manager, Home & Appliance  
Consumer Reports Magazine  
101 Truman Avenue, Yonkers, NY 10703  
O: 914 378 2012  
M: Ex. 6 Personal Privacy (PP)  
[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)



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\* \* \*

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/25/2018 12:18:56 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: For Review - KOAA-TV (J. McMichael) - VW Clean Air Act Civil Settlement - 6/27

Yes. Thanks!

Sent from my iPhone

On Jun 25, 2018, at 8:15 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning.

OK to send?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP) (M)**

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**From:** Daguillard, Robert  
**Sent:** Friday, June 22, 2018 2:39 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** For Review - KOAA-TV (J. McMichael) - VW Clean Air Act Civil Settlement - 6/27

SUMMARY: The VW group has declined to address the specific information the reporter requested in bullet point #3. They say VW is reporting that information, but add it would take time for them to retrieve it for response purposes. Please advise whether the following is good to send for attribution to a spokesperson – Jonathan McMichael – KOAA-TV (Colorado Springs, CO) – [jmcmichael@koaa.com](mailto:jmcmichael@koaa.com)

PROPOSED

**Ex. 5 Deliberative Process (DP)**

---

**From:** Jonathan McMichael [<mailto:jmcmichael@koa.com>]

**Sent:** Thursday, June 21, 2018 11:24 AM

**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>

**Subject:** Re: VW Clean Air Act Civil Settlement

Alright, here are some of the questions I have regarding the case. I am also about to reach out to the Colorado Department of Public Health and environment with additional questions.

- How many locations across the nation has VW setup to house their recalled vehicles?
- Per EPA requirements, what must be done with the recalled cars to avoid monetary penalties by 2019?
- How many vehicles have been recycled, modified, or disposed of so far across the nation?
  - Is there any way to tell how many vehicles out of the Pikes Peak International Raceway (PPIR) lot have been dealt with?
- How long can/will those vehicles stay in any lot (including the PPIR lot)?
- Are there any protections against VW just taking the cars and shipping them to nations with less strict emissions standards?
- MORE GENERALLY
  - what is the general extent of the case/settlement
  - How would the EPA proceed in the future if faced with a similar issue? Would there be even more recall lots?

On Jun 20, 2018, at 5:35 PM, Jonathan McMichael <[jmcmichael@koa.com](mailto:jmcmichael@koa.com)> wrote:

Good afternoon,

I'm a reporter for KOAA out of Colorado Springs and was hoping to speak with someone regarding the VW case and where it currently stands. Right outside of town is the Pikes Peak International Raceway and its parking lot has been filled for some time with recalled VW vehicles. In addition to looking for a general update, I was hoping to shed some light on the potential future of those cars. Let me know if you can help!

-Jon

**To:** Mears, Mary[Mears.Mary@epa.gov]  
**Cc:** Konkus, John[konkus.john@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Tue 11/6/2018 8:13:29 PM (UTC)  
**Subject:** RE: FOR ACTION: DRAFT EPA Statement on Newark lead in drinking water

Are there links for this?

**From:** Grantham, Nancy  
**Sent:** Friday, October 12, 2018 8:35 AM  
**To:** Block, Molly <block.molly@epa.gov>; Konkus, John <konkus.john@epa.gov>  
**Subject:** FW: FOR ACTION: DRAFT EPA Statement on Newark lead in drinking water

Fyi .. dave ross has weighed in on the statement and his edits are incorporated into the attached thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  

Ex. 6 Personal Privacy (PP)

**(mobile)**

**From:** Mears, Mary  
**Sent:** Friday, October 12, 2018 8:26 AM  
**To:** Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Hughes, Hayley <hughes.hayley@epa.gov>  
**Cc:** Gratz, Jeff <Gratz.Jeff@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; Laureano, Javier <laureano.javier@epa.gov>; Covington, Tayler <covington.tayler@epa.gov>  
**Subject:** RE: FOR ACTION: DRAFT EPA Statement on Newark lead in drinking water

Thank you so much, Andrea. Attached is a updated version that includes your edit.

Nancy,  
Please let me know when OPA has cleared this, and we will finalize it. Once NJDEP puts out it's news release (close hold draft attached again for reference), we would issue this to interested NJ media.

**Mary Mears**  
**U.S. EPA Region 2**  
**Public Affairs Director**  
**(212) 637-3673 (office)**  

Ex. 6 Personal Privacy (PP)

**(cell)**

**From:** Drinkard, Andrea  
**Sent:** Friday, October 12, 2018 8:17 AM  
**To:** Mears, Mary <Mears.Mary@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Hughes, Hayley <hughes.hayley@epa.gov>; Gratz, Jeff <Gratz.Jeff@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; Laureano, Javier <laureano.javier@epa.gov>  
**Subject:** Re: FOR ACTION: DRAFT EPA Statement on Newark lead in drinking water

Good morning!

Dave has reviewed and we have one edit and one comment:

We would like to: 

Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

On Oct 11, 2018, at 6:22 PM, Mears, Mary <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)> wrote:

Good evening, Nancy, Andrea and Hayley,

Tomorrow, Newark is holding a press conference to discuss its plans to distribute free filters as a first step in addressing recently discovered lead in drinking water issues. NJDEP does not plan to attend the press conference, but the NJ Governor's office plans to issue a news release tomorrow morning (attached is a **close hold draft** that NJ asked us not to share outside of necessary EPA staff).

Region 2 developed and NJDEP concurred on the statement below (and attached) to release to the media tomorrow after the 11:00am conference as a supporting statement to our state partner NJDEP (Nancy, this is a change from our discussion – Pete and Catherine agreed and he called me just now).

Pete also wants to be sure that Dave Ross is comfortable with the statement, so if you can share this, Andrea, that would be terrific.

I am in early tomorrow and will be available if you have questions or concerns.  
Mary

Mary Mears  
Region 2 Public Affairs Director  
(212) 637-3673

Ex. 6 Personal Privacy (PP) (cell)

-----  
**Statement from EPA on Newark lead in drinking water  
Draft 10/11/2018**

## Ex. 5 Deliberative Process (DP)

# **Ex. 5 Deliberative Process (DP)**

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# **Ex. 6 Personal Privacy (PP)**

<DRAFT Newark lead in drinking water Statement HQ REVIEW VERSION.docx>  
<Newark Lead -- DRAFT DELIBERATIVE 11OCT10 345PM.DOCX>

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/10/2019 9:26:24 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Consumer Reports Magazine re moisture levels

Ok

---

**From:** Jones, Enesta  
**Sent:** Tuesday, September 10, 2019 5:25 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Consumer Reports Magazine re moisture levels

Public follow-up from OAR — good to send?

**Question:** For moisture levels, I see that you recommend that it's ideally between 30 and 50 percent—is that humidity level safe to put wood/furniture/drywall back in your home as well?

Attributable to an EPA Spokesperson: **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

**From:** Haniya Rae <haniya.rae@consumer.org>  
**Date:** September 10, 2019 at 3:49:36 PM EDT  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>, "Mears, Mary" <Mears.Mary@epa.gov>, "Rodriguez, Elias" <Rodriguez.Elias@epa.gov>  
**Subject:** Re: Press Inquiry: Speak to someone about storm/flood clean up?

Thank you so much, Enesta.

For moisture levels, I see that you recommend that it's ideally between 30 and 50 percent—is that humidity level safe to put wood/furniture/drywall back in your home as well?

On Tue, Sep 10, 2019 at 2:48 PM Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hello Haniya,

Please see our responses below, attributable to an EPA Spokesperson.

**What do you do first if you smell gas or see downed powerlines near your home?**

CDC and FEMA offer guidance. Please contact them.

**Are shovels the best way to remove debris from your home? Where should debris be piled up?**

Use of Shovel -- Be careful when moving furnishings or debris, because they may be waterlogged and heavier after a flood. What tools should be used to safely clean up debris will depend on several factors including the amount and type of debris, location and situation.

Debris Cleanup -- Check to see if your local government/municipality has a disaster debris management plan for specific guidelines in your area. In general, debris placed from the sidewalk toward your property will not be picked up. Contractors cannot collect items on private property. Do not set debris against trees or poles. Doing so makes it harder for cleanup crews to scoop up the items. Homeowners may be asked to separate debris into categories (eg., household garbage, construction debris, household hazardous waste, goods/appliances, electronics, etc.). For more information see <https://www.epa.gov/natural-disasters/managing-debris-after-natural-disaster>

**If you have a dehumidifier (or multiple dehumidifiers), where should it be placed?**

A dehumidifier reduces the amount of moisture in the air and can be an important part of post-flood cleanups to aid in the drying process. Although fans may be used to move moisture into the air from wet surfaces and materials, unless that moisture is removed from the air, it can re-condense on those surfaces and materials. Where to place the dehumidifier or multiple dehumidifiers depends upon several factors including type and power of the dehumidifier and your personal situation.

**How long should you keep an airflow through a house if you're trying to dry it out? Is there a magic number or moisture level? If you have to remove drywall, how long should you leave your walls open and allow to dry? Is there an indoor moisture level recommended?**

The amount of time it takes to completely dry a house varies and depends on several factors including moisture content of the air being used to ventilate, where the moisture is located and the nature, types and porosity of the materials inside that need to dry. It is important to note that once the liquid water is removed from the building and the large open surfaces are dry to the touch, problem water can still remain in cavities, cracks, and porous materials. If drying efforts stop too soon, microbial growth may begin or recur.

If it is not raining outside, opening windows and doors will provide a great deal of ventilation. How quickly things dry depends on how dry the outdoor air is compared to the indoor air. If the outdoor air is warm and dry, the building will dry quicker but if the air is hot and humid things will dry more slowly.

How quickly things dry also depends on the nature of the materials and whether the item or assembly contains cavities, joints, cracks, or porous materials that make it difficult to air dry. Cracks are often hard to dry because liquid water can be held between them and may be too small to blow air through or wipe out with a rag. Air movement, dry air, and heat are needed to dry cavities, cracks, and porous materials. Some cavities such as cabinets, drawers, air handlers, and plumbing walls can be opened and aired out. Other cavities can only be accessed by removing built-in cabinets or making holes in the kick spaces, soffits, and wall or ceiling cavities. Opening these cavities greatly increases the drying rate.

**If objects/surfaces in your home feel dry after a flood, should you just assume that they could still harbor mold?**

If the house has been closed up for several days, enter briefly to open doors and windows to let the house air out for a while (at least 30 minutes) before you stay for any length of time.

Things that remain wet for more than two days usually get moldy. If you were not able to dry your home (including furniture and other items) within 24-48 hours, you should assume you have mold growth. In addition, beyond mold, microorganisms such as bacteria can multiply and grow in standing water. Even when flooding is due to rainwater,



floodwater can get mixed with sewage, dirt, or other substances and bring contaminants such as bacteria and chemicals into your home.

**How soon can you replace vinyl, carpet, furniture, and other surfaces?**

A home/area that has been flooded should first be determined to be safe, with no structural, electrical or other hazards. After which ensure that the house/area is completely cleaned and dry before beginning to replace items in the home.

**Is there any certification that people should look for if a contractor offers their services for mold cleanup? (ie: how do people know whether they're being scammed?)**

Hire a mold inspection or remediation professional affiliated with or certified by the National Environmental Health Association (NEHA), the American Industrial Hygiene Association (AIHA), the Institute of Inspection, Cleaning and Restoration Certification (IICRC), or American Council for Accredited Certification (ACAC) to inspect, repair, and restore the damaged parts of your home. Your state also may regulate mold remediation.

Additional resources:

Homeowner's and Renter's Guide to Mold Cleanup After Disasters - <https://www.epa.gov/mold/homeowners-and-renters-guide-mold-cleanup-after-disasters>

On Sep 10, 2019, at 9:46 AM, Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)> wrote:

Hello,

We're working on a story about cleaning up your home after a flood. I was wondering if I could speak to an expert for attribution who can talk about mold and cleanup. I'd need to speak to someone before EOD. Thanks!

--

Haniya Rae  
Associate Content Manager, Home & Appliance  
Consumer Reports Magazine  
101 Truman Avenue, Yonkers, NY 10703  
O: 914 378 2012  
M: Ex. 6 Personal Privacy (PP)  
[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)



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\*\*\*

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Haniya Rae  
Associate Content Manager, Home & Appliance  
Consumer Reports Magazine  
101 Truman Avenue, Yonkers, NY 10703

O: 914 378 2012

M: Ex. 6 Personal Privacy (PP)  
[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)

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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/10/2019 6:45:28 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: For Review: Consumer Reports mag re storm/flood clean

Ok

Sent from my iPhone

On Sep 10, 2019, at 2:41 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Public info from OAR — **good to send?**

**What do you do first if you smell gas or see downed powerlines near your home?**

**Ex. 5 Deliberative Process (DP)**

**Are shovels the best way to remove debris from your home? Where should debris be piled up?**

**Ex. 5 Deliberative Process (DP)**

**If you have a dehumidifier (or multiple dehumidifiers), where should it be placed?**

**Ex. 5 Deliberative Process (DP)**

**How long should you keep an airflow through a house if you're trying to dry it out? Is there a magic number or moisture level? If you have to remove drywall, how long should you leave your walls open and allow to dry? Is there an indoor moisture level recommended?**

## **Ex. 5 Deliberative Process (DP)**

**If objects/surfaces in your home feel dry after a flood, should you just assume that they could still harbor mold?**

## **Ex. 5 Deliberative Process (DP)**

**How soon can you replace vinyl, carpet, furniture, and other surfaces?**

## **Ex. 5 Deliberative Process (DP)**

**Is there any certification that people should look for if a contractor offers their services for mold cleanup? (ie: how do people know whether they're being scammed?)**

## **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

**From:** Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)>

**Date:** September 10, 2019 at 10:37:01 AM EDT

**To:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Re: Press Inquiry: Speak to someone about storm/flood clean up?

Hello Enesta,

Before 4pm EST today, if possible. Let me know if another agency might be better at answering, though.

Here are the questions:

What do you do first if you smell gas or see downed powerlines near your home?

Are shovels the best way to remove debris from your home? Where should debris be piled up?

If you have a dehumidifier (or multiple dehumidifiers), where should it be placed?

How long should you keep an airflow through a house if you're trying to dry it out? Is there a magic number or moisture level?

If objects/surfaces in your home feel dry after a flood, should you just assume that they could still harbor mold?

If you have to remove drywall, how long should you leave your walls open and allow to dry? Is there an indoor moisture level recommended?

How soon can you replace vinyl, carpet, furniture, and other surfaces?

Is there any certification that people should look for if a contractor offers their services for mold cleanup? (ie: how do people know whether they're being scammed?)

On Tue, Sep 10, 2019 at 9:47 AM Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hello Haniya,

Our indoor air office should be able to assist. Can you please send your specific questions and hard deadline?

On Sep 10, 2019, at 9:46 AM, Haniya Rae <[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)> wrote:

Hello,

We're working on a story about cleaning up your home after a flood. I was wondering if I could speak to an expert for attribution who can talk about mold and cleanup. I'd need to speak to someone before EOD. Thanks!

--

Haniya Rae  
Associate Content Manager, Home & Appliance  
Consumer Reports Magazine  
101 Truman Avenue, Yonkers, NY 10703  
O: 914 378 2012  
M: Ex. 6 Personal Privacy (PP)  
[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)



\*\*\*

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\*\*\*

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Haniya Rae  
Associate Content Manager, Home & Appliance  
Consumer Reports Magazine  
101 Truman Avenue, Yonkers, NY 10703  
O: 914 378 2012  
M: Ex. 6 Personal Privacy (PP)  
[haniya.rae@consumer.org](mailto:haniya.rae@consumer.org)



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\*\*\*

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 9/13/2018 7:33:07 PM  
**To:** Birgfeld, Erin [Birgfeld.Erin@epa.gov]  
**Subject:** RE: Note to Julie re: SEJ tour

Looks great! Added in a few things, otherwise it's good by me.

---

**From:** Birgfeld, Erin  
**Sent:** Thursday, September 13, 2018 3:06 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** Note to Julie re: SEJ tour

Hi Molly,

Here is a draft note to Julie as follow up. The highlighted yellow portions are parts that I want to ask our security folks about to confirm. Please edit as you see fit and add any contact info you'd like to for yourself at the bottom.

Thanks!

-Erin

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## Ex. 5 Deliberative Process (DP)

### Security and Logistics

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- ## Ex. 5 Deliberative Process (DP)
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- **Ex. 5 Deliberative Process (DP)**
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Photos and Audio Recordings

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- **Ex. 5 Deliberative Process (DP)**
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Other Ground Rules

- 
- **Ex. 5 Deliberative Process (DP)**

Agenda and Timing

- 
- **Ex. 5 Deliberative Process (DP)**
- 

Lab Tour Overview

- 
- **Ex. 5 Deliberative Process (DP)**



# Ex. 5 Deliberative Process (DP)

## Contact Information

Press Questions and Follow Up: [press@epa.gov](mailto:press@epa.gov)

Molly Block, EPA Press Secretary

Work cell: [Ex. 6 Personal Privacy \(PP\)](#)

Email: [block.molly@epa.gov](mailto:block.molly@epa.gov)

For Logistical and Organization Issues:

Erin Birgfeld, Communications Director, Office of Transportation and Air Quality

[Ex. 6 Personal Privacy \(PP\)](#) (work cell) / [Ex. 6 Personal Privacy \(PP\)](#) (personal cell as backup)

Email: [Birgfeld.erin@epa.gov](mailto:Birgfeld.erin@epa.gov)

Erin Birgfeld

Communications Director

Office of Transportation and Air Quality

U.S. EPA

202-564-6741 (work)

[Ex. 6 Personal Privacy \(PP\)](#) (cell)

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 7/6/2018 5:42:38 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: For Review: Center for Investigative Reporting (S. Neilson) - Organophosphate Reviews -7/6

If this is all set, then it's good to go.

---

**From:** Jones, Enesta  
**Sent:** Friday, July 6, 2018 1:37 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** For Review: Center for Investigative Reporting (S. Neilson) - Organophosphate Reviews -7/6

**Molly**, we were holding on this until we heard back from FWS. Erik Baptist, who is acting for Nancy Beck, approved. This version is slightly different than the one you approved yesterday. Gtg?

## Ex. 5 Deliberative Process (DP)

**From:** "Block, Molly" <block.molly@epa.gov>  
**Date:** July 5, 2018 at 1:43:14 PM EDT  
**To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>, Press <Press@epa.gov>  
**Subject:** RE: For Review: Center for Investigative Reporting (S. Neilson) - Organophosphate Reviews -7/6

Ok

---

**From:** Daguillard, Robert  
**Sent:** Thursday, July 5, 2018 12:31 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Center for Investigative Reporting (S. Neilson) - Organophosphate Reviews -7/6

**SUMMARY:** Nancy Beck and OGC have reviewed and approved the following. OK to send for attribution to a spokesperson? – Susan Neilson – Center for Investigative Reporting – [sneilson@revealnews.org](mailto:sneilson@revealnews.org)

**Response:** Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**From:** Susan Neilson [<mailto:sneilson@revealnews.org>]  
**Sent:** Thursday, June 28, 2018 1:18 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** Media Request for Comment: Organophosphate Reviews

To Whom it May Concern,

My name is Susie Neilson and I am with the Center for Investigative Reporting.

I am writing to seek comment from the EPA regarding the delays of Biological Opinions by the EPA and Fish & Wildlife Service on three organophosphates, malathion, diazinon and chlorpyrifos.

I'm interested in responses to the following queries:

- Why were these reviews delayed?
- Where is the process now?
- When will the BiOps will be done, if ever?
- What is your opinion on the decades of research showing that these pesticides are harming endangered species?

Thank you for your time. Please respond to this message ASAP, as I am on deadline.

Best,  
Susie

--

Susie Neilson  
(206) 419-2104  
Reveal from the Center for Investigative Reporting  
[www.revealnews.org](http://www.revealnews.org)



Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/20/2018 12:53:59 PM  
**To:** Schwab, Justin [schwab.justin@epa.gov]  
**CC:** Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Dominguez, Alexander [dominguez.alexander@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** RE: FOR REVIEW: Farm World -- Hardship Waiver Question

I can definitely make those changes. Thanks all!!

---

**From:** Schwab, Justin  
**Sent:** Wednesday, June 20, 2018 8:48 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: FOR REVIEW: Farm World -- Hardship Waiver Question

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jun 20, 2018, at 8:42 AM, Block, Molly <block.molly@epa.gov> wrote:

Thanks! I made those two edits and

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

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**From:** Schwab, Justin  
**Sent:** Wednesday, June 20, 2018 8:35 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: FOR REVIEW: Farm World -- Hardship Waiver Question

I'd change

Ex. 5 Deliberative Process (DP)

And I'd change

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jun 20, 2018, at 8:29 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Thoughts on the following response? I've pared down something we've used before. In terms of **Ex. 5 Deliberative Process (DP)** Thanks all!

## Ex. 5 Deliberative Process (DP)

Additional background (not for attribution):

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- 
- 

## Ex. 5 Deliberative Process (DP)

**From:** [Jnstrickler@protonmail.com](mailto:Jnstrickler@protonmail.com) [<mailto:Jnstrickler@protonmail.com>]

**Sent:** Tuesday, June 19, 2018 11:46 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Farm World -- Hardship Waiver Question

Hi Mr. Daguillard,

My name is Jordan Strickler and I am a freelance writer for Farm World News. I have been covering the RFS hardship waiver news for our paper recently and just had a couple of questions, I was hoping I could have answered.

The first is, what is the formula for deciding a "hardship"? If there is none currently, do you think that there might be a standard in the future? The second is what do you think the chances are that the EPA would allow E-15 year round.

Any help with one or both of those questions would be greatly appreciated.

Thanks!

Jordan Strickler  
859-229-9699  
[jnstrickler@protonmail.com](mailto:jnstrickler@protonmail.com)

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/20/2018 12:29:16 PM  
**To:** Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Dominguez, Alexander [dominguez.alexander@epa.gov]; Schwab, Justin [schwab.justin@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** FOR REVIEW: Farm World -- Hardship Waiver Question

Thoughts on the following response? I've pared down something we've used before. In terms of Ex. 5 Deliberative Process (DP) should we just refer them to Ex. 5 Deliberative Process (DP) thanks all!

## Ex. 5 Deliberative Process (DP)

Additional background (not for attribution):

- 
- 
- 
- **Ex. 5 Deliberative Process (DP)**
- 

**From:** [Jnstrickler@protonmail.com](mailto:Jnstrickler@protonmail.com) [mailto:[Jnstrickler@protonmail.com](mailto:Jnstrickler@protonmail.com)]  
**Sent:** Tuesday, June 19, 2018 11:46 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Farm World -- Hardship Waiver Question

Hi Mr. Daguillard,

My name is Jordan Strickler and I am a freelance writer for Farm World News. I have been covering the RFS hardship waiver news for our paper recently and just had a couple of questions, I was hoping I could have answered.

The first is, what is the formula for deciding a "hardship"? If there is none currently, do you think that there might be a standard in the future? The second is what do you think the chances are that the EPA would allow E-15 year round.

Any help with one or both of those questions would be greatly appreciated.

Thanks!

Jordan Strickler

859-229-9699

[jnstrickler@protonmail.com](mailto:jnstrickler@protonmail.com)



Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/20/2018 11:35:01 AM  
**To:** Grantham, Nancy [Grantham.Nancy@epa.gov]  
**CC:** Konkus, John [konkus.john@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]  
**Subject:** Re: ATSDR statement to PADs

Looks great to me!

Sent from my iPhone

On Jun 20, 2018, at 7:09 AM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

John,

Please see the note below that I propose to send to the PADs once we know that the ATSDR PFAS document has been released.

Please let me know if you have any comments/suggested edits.

Thanks ng

Regional PADs,

## Ex. 5 Deliberative Process (DP)

# **Ex. 5 Deliberative Process (DP)**

John Konkus  
Environmental Protection Agency  
Deputy Associate Administrator for Public Affairs  
Mobile: Ex. 6 Personal Privacy (PP)

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/23/2018 10:02:43 PM  
**To:** Schirmer, Mark (CAI - Troy) [Mark.Schirmer@coxautoinc.com]  
**CC:** schaffer, joan [schaffer.joan@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Press Inquiry

Wanted to make sure you got this joint statement from EPA and Department of Transportation:

“Today’s conversations between Administration Officials and the California Air Resources Board were productive. We want to thank President Trump for convening this process and his steadfast commitment as it continues to move forward. We are fully supportive of an open dialogue that proceeds in an expedited manner. EPA and USDOT look forward to moving ahead on a joint proposed rule and receiving practical and productive feedback from all stakeholders.”

---

**From:** Schirmer, Mark (CAI - Troy) [mailto:Mark.Schirmer@coxautoinc.com]  
**Sent:** Wednesday, May 23, 2018 8:54 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** schaffer, joan <schaffer.joan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry

Thank you.

mhs

---

**From:** Block, Molly [mailto:block.molly@epa.gov]  
**Sent:** Wednesday, May 23, 2018 8:46 AM  
**To:** Schirmer, Mark (CAI - Troy) <Mark.Schirmer@coxautoinc.com>  
**Cc:** schaffer, joan <schaffer.joan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry

On background (not for attribution): I can confirm the meeting.

---

**From:** Schirmer, Mark (CAI - Troy) [mailto:Mark.Schirmer@coxautoinc.com]  
**Sent:** Wednesday, May 23, 2018 8:20 AM  
**To:** schaffer, joan <schaffer.joan@epa.gov>  
**Subject:** Press Inquiry

Bloomberg is reporting that CARB’s Mary Nichols will be meeting in Washington DC today (May 23) with EPA and NHTSA officials to discuss vehicle emissions and fuel economy standards. Can you confirm if that meeting is scheduled.

Thank you.

**Mark Schirmer**  
Senior Manager | Public Relations  
Email: [mark.schirmer@coxautoinc.com](mailto:mark.schirmer@coxautoinc.com)  
Mobile: Ex. 6 Personal Privacy (PP)  
Twitter: @MarkSchirmer1





Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/31/2018 6:25:39 PM  
**To:** Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Dominguez, Alexander [dominguez.alexander@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** FW: Small refinery exemptions

And just a few more.

---

**From:** Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]  
**Sent:** Thursday, May 31, 2018 2:24 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Small refinery exemptions

Thank you, that is very helpful clarification. Can you clear up these other two points of market concern:

- What vintage RIN has EPA reinstated to avoid the "justice delayed, justice denied" outcome: 2016, 2017 or 2018? Clearly 2014/15 vintage would be useless.
- Does EPA continue to accept new applications for any previous compliance year? Which years?

---

**From:** Block, Molly <block.molly@epa.gov>  
**Sent:** Thursday, May 31, 2018 1:14 PM  
**To:** Elliott Blackburn <elliott.blackburn@argusmedia.com>; Press <Press@epa.gov>  
**Subject:** RE: Small refinery exemptions

Notice: external email – please use caution.

---

Elliott –

This should be some helpful clarification.

**On background (not for attribution):** The recent exemption actions are solely confined to the petitions that were timely submitted and timely challenged in the Sinclair/Holly cases before the Tenth Circuit. Note that there were the separate, but related cases: a Sinclair case challenging 2014 denials; a Sinclair case challenging 2015 denials; and a Holly case challenging 2015 denials. In the previous email, I characterized this package of cases as the "one exception" given the interrelatedness and general knowledge of that interrelatedness.

Since the 2015 cases were reliant on the outcome in the 2014 case, those two actions were held in abeyance while the court decided the 2014 case. That decision came out last summer (2017). Once EPA charted out a path to comply with the courts order for the 2014 case, EPA applied that same approach to the 2015 cases. In sum and to your original point, these actions are limited in scope and confined to the petitions at issue in the Sinclair/Holly cases.

---

**From:** Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]  
**Sent:** Thursday, May 31, 2018 1:46 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Small refinery exemptions

Molly —

- When did this change following your 11 May statement on behalf of the agency, which said that there “is one exception” — Sinclair v EPA — to Agency policy reinstating only RINs from the same year as the requesting petition? Or is that what you mean in this latest response?
- Does the reconsideration of “some prior denials” include applications by refineries not a party to Sinclair v EPA? How many?
- What vintage RIN has EPA reinstated to avoid the “justice delayed, justice denied” outcome: 2016, 2017 or 2018?
- Does EPA continue to accept new applications for any previous compliance year? Which years?

I can be reached at this email or at (713) 429-6350.

---

**From:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Sent:** Thursday, May 31, 2018 12:34 PM

**To:** Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: Small refinery exemptions

Notice: external email – please use caution.

---

Elliott –

Here’s our statement:

“EPA’s actions are narrow in scope and consistent with direction from the 10th Circuit. The Agency has been revisiting some prior denials in light of a recent court opinion holding that EPA had been applying the hardship exemption for small refineries too narrowly. Last summer, the Tenth Circuit found that EPA cannot make an exemption conditional on a refinery showing that its continued survival was at risk. EPA will continue to administer this statute attentive to all policy considerations, fulfilling the duty Congress has given the Agency in light of orders and opinions from the courts.” – EPA Spokesperson

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]

**Sent:** Thursday, May 31, 2018 1:28 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** FW: Small refinery exemptions

In what sense is EPA “revisiting” previous small refinery waiver decisions? What is the criteria for such reconsideration?

And:

- What vintage of RINs did EPA issue to “avoid a justice delayed, justice denied outcome” from the Sinclair v EPA decision?
- How many refiners not originally a party to Sinclair v EPA received RINs for years beyond current expiration? Or: Is this exception available exclusively to parties of Sinclair v EPA?
- Does EPA continue to accept small refinery waiver applications for the 2017 compliance year?

**Elliott Blackburn**  
*Downstream Reporter*

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Direct: +1 713 429 6350

Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)

ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
Signal: Ex. 6 Personal Privacy (PP)



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Argus Media Limited, Lacon House, 84 Theobald's Road, London WC1X 8NL Registered in England and Wales, Company Registration No: 1642534 VAT Registration No: GB 229 7149 41

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/31/2018 6:13:47 PM  
**To:** Elliott Blackburn [elliott.blackburn@argusmedia.com]; Press [Press@epa.gov]  
**Subject:** RE: Small refinery exemptions

Elliott –

This should be some helpful clarification.

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- Does EPA continue to accept new applications for any previous compliance year? Which years?

I can be reached at this email or at (713) 429-6350.

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**Sent:** Thursday, May 31, 2018 12:34 PM  
**To:** Elliott Blackburn <elliott.blackburn@argusmedia.com>; Press <Press@epa.gov>  
**Subject:** RE: Small refinery exemptions

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Elliott –

Here’s our statement:



“EPA’s actions are narrow in scope and consistent with direction from the 10th Circuit. The Agency has been revisiting some prior denials in light of a recent court opinion holding that EPA had been applying the hardship exemption for small refineries too narrowly. Last summer, the Tenth Circuit found that EPA cannot make an exemption conditional on a refinery showing that its continued survival was at risk. EPA will continue to administer this statute attentive to all policy considerations, fulfilling the duty Congress has given the Agency in light of orders and opinions from the courts.” – EPA Spokesperson

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**Elliott Blackburn**

*Downstream Reporter*

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 7/6/2018 3:48:39 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Basin Bits (Mark Halsall) re Regulation of Carbon Dioxide Storage in North Dakota (Deadline: 7/6)

Small edits below. good to go

---

**From:** Jones, Enesta  
**Sent:** Friday, July 6, 2018 11:41 AM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Basin Bits (Mark Halsall) re Regulation of Carbon Dioxide Storage in North Dakota (Deadline: 7/6)

**On background:**

1. What is the significance of this agreement between the EPA and North Dakota?

**Ex. 5 Deliberative Process (DP)**

2. Why did the EPA agree to grant this authority to North Dakota?

**Ex. 5 Deliberative Process (DP)**

3. Why is carbon capture and sequestration (CCS) important? What is the EPA doing to promote this technology?

**Ex. 5 Deliberative Process (DP)**

4. What are the potential benefits of CCS technology for the CO<sub>2</sub> producers (i.e. coal-fired power plants and ethanol production facilities)? What are the potential benefits for CO<sub>2</sub> users (i.e. oil and gas wells)?

**Ex. 5 Deliberative Process (DP)**

5. EPA Administrator Scott Pruitt has been quoted as saying that handing regulation over to the state would help advance carbon capture and sequestration technology How will this agreement help advance CCS technology?

## Ex. 5 Deliberative Process (DP)

6. What does this agreement mean for the coal and ethanol industries in North Dakota (and/or the US in general)?

## Ex. 5 Deliberative Process (DP)

7. What does it mean for the oil and gas industry in North Dakota (and/or the US in general)?

Ex. 5 Deliberative Process (DP)

**From:** Mark Halsall <Ex. 6 Personal Privacy (PP)>

**Date:** June 27, 2018 at 11:13:14 AM EDT

**To:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Subject:** Re: Article on Regulation of Carbon Dioxide Storage in North Dakota

Thanks Enesta. I am writing this article for Basin Bits, a trade magazine published by the Western Dakota Energy Association.

Mark

On Wed, Jun 27, 2018 at 10:04 AM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Who are you writing for?

Hi Mark, I'm now looking into your questions.

**From:** Mark Halsall [mailto:[Ex. 6 Personal Privacy \(PP\)](#)]

**Sent:** Wednesday, June 27, 2018 10:32 AM

**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** Re: Article on Regulation of Carbon Dioxide Storage in North Dakota

Hi Lynn.

Here are those questions for the carbon capture and sequestration article I'm writing, as promised:

- North Dakota is the first state in the U.S. to be given authority to regulate underground wells used for long-term storage of waste carbon dioxide captured from industrial sources. What is the significance of this agreement between the EPA and North Dakota?

- Why did the EPA agree to grant this authority to North Dakota?

- Why is carbon capture and sequestration (CCS) important? What is the EPA doing to promote this technology?

What are the potential benefits of CCS technology for the CO2 producers (i.e. coal-fired power plants and ethanol production facilities)? What are the potential benefits for CO2 users (i.e. oil and gas wells)?

- EPA Administrator Scott Pruitt has been quoted as saying that handing regulation over to the state would help advance carbon capture and sequestration technology. How will this agreement help advance CCS technology?

- What does this agreement mean for the coal and ethanol industries in North Dakota (and/or the US in general)? What does it mean for the oil and gas industry in North Dakota (and/or the US in general)?

That's about it. As previously indicated, July 6 is when I need to have either conducted a phone interview or received written responses in order to make my deadline. If a phone interview is the route the EPA chooses to go, appreciate it if you could let me know as soon as you can so we can set this up.

Thanks for help, Lynn.

Regards,

Mark Halsall

Ex. 6 Personal Privacy (PP)

On Wed, Jun 20, 2018 at 1:30 PM, Mark Halsall <Ex. 6 Personal Privacy (PP)> wrote:

Thanks for getting back to me Tricia - much appreciated. I will get you a list of questions early next week. The hard deadline for the piece is July 6.

Mark

On Wed, Jun 20, 2018 at 1:23 PM, Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Hi Mark—

Thanks for your inquiry.

I'm happy to check into the possibility of an interview, but please be aware that they're not always available. If not, we can typically respond in writing. Any response is more likely to come from our subject matter experts than the Administrator. Even then, we may not be able to provide a specific source for attribution.

In any case, to begin I'll need a list of your specific questions and hard deadline. Can you please supply those at your earliest convenience?

Thanks so much,

Tricia

---

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

**From:** Mark Halsall [mailto:Ex. 6 Personal Privacy (PP)]

**Sent:** Wednesday, June 20, 2018 1:24 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Fwd: Article on Regulation of Carbon Dioxide Storage in North Dakota

Hello. I just sent an interview request to Richard Mylott, but he's suggested I contact the EPA national press office at this email address instead. If you could get back to me about request at your earliest convenience, I'd really appreciate it.

Regards,

Mark Halsall

Ex. 6 Personal Privacy (PP)

----- Forwarded message -----

From: **Mylott, Richard** <Mylott.Richard@epa.gov>

Date: Wed, Jun 20, 2018 at 12:14 PM

Subject: Re: Article on Regulation of Carbon Dioxide Storage in North Dakota

To: Mark Halsall <[Ex. 6 Personal Privacy (PP)]>

Thanks for this Mark. Folks in our national press office should be able to help with this. Best is 202-564-4355 or [press@epa.gov](mailto:press@epa.gov).

Rich [Ex. 6 Personal Privacy (PP)]

Sent from my iPhone

On Jun 20, 2018, at 11:11 AM, Mark Halsall <[Ex. 6 Personal Privacy (PP)]> wrote:

Hello Rich,

My name is Mark Halsall, and I'm writing an article on the move by the EPA to give North Dakota the power to regulate carbon dioxide storage wells within the state for Basin Bits, a trade magazine put out by the Western Dakota Energy Association. It would be great if I could include a comment or two from EPA Administrator Scott Pruitt in the article, and I am contacting you in the hopes we can make arrangements for interview (either via phone or email). If you could get back to me at your earliest convenience to let me know if this is doable, I'd really appreciate it.

Thanks - hope to hear back from you soon.

Mark Halsall

[Ex. 6 Personal Privacy (PP)]



Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 7/5/2018 5:54:56 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RE: For Review: Center for Investigative Reporting (S. Neilson) - Organophosphate Reviews -7/6

Thanks Robert!

---

**From:** Daguillard, Robert  
**Sent:** Thursday, July 5, 2018 1:47 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: For Review: Center for Investigative Reporting (S. Neilson) - Organophosphate Reviews -7/6

Thanks. The program has since reached out and

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Block, Molly  
**Sent:** Thursday, July 05, 2018 1:43 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review: Center for Investigative Reporting (S. Neilson) - Organophosphate Reviews -7/6

Ok

---

**From:** Daguillard, Robert  
**Sent:** Thursday, July 5, 2018 12:31 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Center for Investigative Reporting (S. Neilson) - Organophosphate Reviews -7/6

**SUMMARY:** Nancy Beck and OGC have reviewed and approved the following. OK to send for attribution to a spokesperson? – Susan Neilson – Center for Investigative Reporting – [sneilson@revealnews.org](mailto:sneilson@revealnews.org)

**Response:** **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

---

**From:** Susan Neilson [<mailto:sneilson@revealnews.org>]  
**Sent:** Thursday, June 28, 2018 1:18 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** Media Request for Comment: Organophosphate Reviews

To Whom it May Concern,

My name is Susie Neilson and I am with the Center for Investigative Reporting.

I am writing to seek comment from the EPA regarding the delays of Biological Opinions by the EPA and Fish & Wildlife Service on three organophosphates, malathion, diazinon and chlorpyrifos.

I'm interested in responses to the following queries:

- Why were these reviews delayed?
- Where is the process now?
- When will the BiOps will be done, if ever?
- What is your opinion on the decades of research showing that these pesticides are harming endangered species?

Thank you for your time. Please respond to this message ASAP, as I am on deadline.

Best,  
Susie

--

Susie Neilson  
(206) 419-2104  
Reveal from the Center for Investigative Reporting  
[www.revealnews.org](http://www.revealnews.org)



Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/21/2018 7:18:22 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RE: For Review- SP Global- Small refinery waivers - ASAP

Thanks! Let me run some traps first. I'll keep you posted.

---

**From:** Daguillard, Robert  
**Sent:** Monday, May 21, 2018 3:17 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: For Review- SP Global- Small refinery waivers - ASAP

Erin Birgfeld.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Block, Molly  
**Sent:** Monday, May 21, 2018 3:16 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: For Review- SP Global- Small refinery waivers - ASAP

Who did you talk to in OAR?

---

**From:** Daguillard, Robert  
**Sent:** Monday, May 21, 2018 3:15 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: For Review- SP Global- Small refinery waivers - ASAP

Molly, I apologize: Part of the response was missing. Additional in bold.

---

**Ex. 5 Deliberative Process (DP)**

Let me know if you want to discuss, as the program thinks

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

**Ex. 6 Personal Privacy (PP) (M)**

---

**From:** Block, Molly  
**Sent:** Monday, May 21, 2018 2:01 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: For Review- SP Global- Small refinery waivers - ASAP

Ok. Please send on background.

---

**From:** Daguillard, Robert  
**Sent:** Monday, May 21, 2018 2:00 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review- SP Global- Small refinery waivers - ASAP

SUMMARY: The program thinks **Ex. 5 Deliberative Process (DP)** They prefer to  
**Ex. 5 Deliberative Process (DP)** Meghan Gordon - SP Global-  
[meghan.gordon@spglobal.com](mailto:meghan.gordon@spglobal.com)

OTAQ Response: **Ex. 5 Deliberative Process (DP)**

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** "Gordon, Meghan" <[meghan.gordon@spglobal.com](mailto:meghan.gordon@spglobal.com)>  
**Date:** April 30, 2018 at 5:12:35 PM EDT  
**To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>, "Block, Molly" <[block.molly@epa.gov](mailto:block.molly@epa.gov)>, Press <Press@epa.gov>  
**Subject:** RE: Small refinery waivers

Thanks again for your help on this issue.

Are the numbers below still current? Is CVR one of the 25 plants that received a waiver?

Thanks,  
Meghan

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Tuesday, April 24, 2018 1:31 PM  
**To:** Block, Molly; Gordon, Meghan; Press  
**Subject:** RE: Small refinery waivers

Also, Meghan, and on background, please:

A slight update. For 2017 we have now received 30 petitions, but have not approved any more beyond the 25 already noted.

Cheers, R.

Robert Daguiillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Block, Molly  
**Sent:** Tuesday, April 24, 2018 1:11 PM  
**To:** Gordon, Meghan <[meghan.gordon@spglobal.com](mailto:meghan.gordon@spglobal.com)>; Daguiillard, Robert <[Daguiillard.Robert@epa.gov](mailto:Daguiillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Small refinery waivers

Meghan –

Still checking on the numbers, but in the meantime:

“There is not consensus on the regulatory path forward on the E15 RVP waiver and related issues.”

On the waivers:

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete.” **Liz Bowman, EPA spokesperson**

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
- During the Obama Administration, there was often disagreement by EPA with DOE’s recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency’s viability analysis employed by the previous administration to be inconsistent with congress’s intent of the hardship exemption and outside its statutory authority (*Sinclair Wyoming Refining Company v. EPA*). Specifically, the court found EPA’s requirement that refineries demonstrate an “existential threat” to their long-term viability as the standard for demonstrating “disproportionate economic hardship” inconsistent with EPA’s statutory authority and vacated a previously denied hardship exemption and remanded Sinclair’s hardship petitions back to EPA for further consideration.
- In 2016, EPA received 20 petitions and granted 19 based on DOE’s recommendation.

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Tuesday, April 24, 2018 11:45 AM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Small refinery waivers

Hi Robert and press team,

How many 2017 small refinery waivers has EPA granted? Checking for any updates to the previous figures of 25 granted out of 29 petitions received.

Ahead of Administrator Pruitt's testimony later this week, can you share why the agency considers these waivers as important and justified under the RFS? Just looking for some more color for a curtain raiser.

Many thanks,  
Meghan

Meghan Gordon  
S&P Global Platts  
(202) 383-2001 office

Ex. 6 Personal Privacy (PP) cell

---

The information contained in this message is intended only for the recipient, and may be a confidential attorney-client communication or may otherwise be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, please be aware that any dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by replying to the message and deleting it from your computer. S&P Global Inc. reserves the right, subject to applicable local law, to monitor, review and process the content of any electronic message or information sent to or from S&P Global Inc. e-mail addresses without informing the sender or recipient of the message. By sending electronic message or information to S&P Global Inc. e-mail addresses you, as the sender, are consenting to S&P Global Inc. processing any of your personal data therein.

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/15/2018 1:55:46 PM  
**To:** Eric Lipton [lipton@nytimes.com]  
**CC:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** RE: Contact number

Great, we will call that line.

**From:** Eric Lipton [mailto:lipton@nytimes.com]  
**Sent:** Friday, June 15, 2018 9:55 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Contact number

My work phone always forwards to my cellphone if I am away from my desk. So that is good. 202 862 0448

Eric Lipton  
The New York Times  
Washington Bureau  
202 862 0448  
[lipton@nytimes.com](mailto:lipton@nytimes.com)

On Fri, Jun 15, 2018, 9:52 AM Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Great! What's the best number to reach you at on Monday?

**From:** Eric Lipton [mailto:[lipton@nytimes.com](mailto:lipton@nytimes.com)]  
**Sent:** Friday, June 15, 2018 9:52 AM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Subject:** Re: Speaking with someone Monday about epidemiology and pesticide decisions

That works

Thank you for setting this up

Eric

Eric Lipton  
The New York Times  
Washington Bureau  
202 862 0448  
[lipton@nytimes.com](mailto:lipton@nytimes.com)

On Fri, Jun 15, 2018, 9:50 AM Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Sorry slight change, can you do 4:30 EST on Monday?

---

**From:** Block, Molly  
**Sent:** Friday, June 15, 2018 8:42 AM  
**To:** 'Eric Lipton' <[lipton@nytimes.com](mailto:lipton@nytimes.com)>  
**Cc:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Subject:** RE: Speaking with someone Monday about epidemiology and pesticide decisions

Eric –

How does 4:00 pm EST work on Monday to talk on background (not for attribution) with Nancy Beck, Deputy Assistant Administrator for EPA's Office of Chemical Safety and Pollution Prevention.

Also, what's the best number to reach you at? Thanks!

Molly

---

**From:** Eric Lipton [<mailto:lipton@nytimes.com>]  
**Sent:** Thursday, June 14, 2018 5:04 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Speaking with someone Monday about epidemiology and pesticide decisions

I wanted to talk with someone at EPA about how epidemiology is used in pesticide decisions. I have read the attached document.

I wanted to ask questions like



1) How useful is epidemiology in pesticide decisions and why is it important, if you think it is

2) CropLife in Nov. 2016, see below, filed a petition asking EPA to “halt regulatory decisions that are highly influenced/determined by results of epidemiological studies that do not meet well-defined data quality standards, and that are not integrated into the health risk assessment in a transparent, well-defined manner.” Any interim or final registration review decision for Phosmet could potentially be impacted by EPA consideration of the epidemiological studies identified in the CLA petition. What ended up happening with this

3) How would the Strengthening Transparency in Regulatory Science proposal impact, if at all, your ability to use epidemiology in pesticide decisions, and if not, why not.

4) I also have questions about organophosphates, including making sure I understand what the 10X debate is about, and what the timeline is for reevaluating this class of pesticides and where the agency stands on health impacts and potential use of epi studies for this effort.

I really hope we can discuss all of this without just getting formal written responses to these questions. Let me know if we can have this conversation on Monday. It could be a mix of on the record and on background.

This is a case where the story is not yet drafted and we want your input in advance to help influence the story.

Thanks in advance

Eric

Eric Lipton

**The New York Times**

Washington Bureau

202 862 0448 office

Ex. 6 Personal Privacy (PP) mobile

[lipton@nytimes.com](mailto:lipton@nytimes.com)

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/15/2018 1:52:26 PM  
**To:** Eric Lipton [lipton@nytimes.com]  
**CC:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** RE: Speaking with someone Monday about epidemiology and pesticide decisions

Great! What’s the best number to reach you at on Monday?

**From:** Eric Lipton [mailto:lipton@nytimes.com]  
**Sent:** Friday, June 15, 2018 9:52 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: Speaking with someone Monday about epidemiology and pesticide decisions

That works

Thank you for setting this up

Eric

Eric Lipton  
The New York Times  
Washington Bureau  
202 862 0448  
[lipton@nytimes.com](mailto:lipton@nytimes.com)

On Fri, Jun 15, 2018, 9:50 AM Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Sorry slight change, can you do 4:30 EST on Monday?

---

**From:** Block, Molly  
**Sent:** Friday, June 15, 2018 8:42 AM  
**To:** 'Eric Lipton' <[lipton@nytimes.com](mailto:lipton@nytimes.com)>  
**Cc:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Subject:** RE: Speaking with someone Monday about epidemiology and pesticide decisions

Eric –

How does 4:00 pm EST work on Monday to talk on background (not for attribution) with Nancy Beck, Deputy Assistant Administrator for EPA’s Office of Chemical Safety and Pollution Prevention.

Also, what’s the best number to reach you at? Thanks!

Molly

**From:** Eric Lipton [<mailto:lipton@nytimes.com>]  
**Sent:** Thursday, June 14, 2018 5:04 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Speaking with someone Monday about epidemiology and pesticide decisions

I wanted to talk with someone at EPA about how epidemiology is used in pesticide decisions. I have read the attached document.

I wanted to ask questions like

- 1) How useful is epidemiology in pesticide decisions and why is it important, if you thin it is
- 2) CroPLife in Nov. 2016, see below, filed a petition asking EPA to “halt regulatory decisions that are highly influenced/determined by results of epidemiological studies that do not meet well-defined data quality standards, and that are not integrated into the health risk assessment in a transparent, well-defined manner.” Any interim or final registration review decision for Phosmet could potentially be impacted by EPA consideration of the epidemiological studies identified in the CLA petition. What ended up happening with this
- 3) How would the Strengthening Transparency in Regulatory Science proposal impact, if at all, your ability to use epidemiology in pesticide decisions, and if not, why not.
- 4) I also have questions about organophosphates, including making sure I understand what the 10X debate is about, and what the timeline is for reevaluating this class of pesticides and where the agency stands on health impacts and potential use of epi studies for this effort.

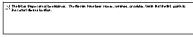
I really hope we can discuss all of this without just getting formal written responses to these questions. Let me know if we can have this conversation on Monday. It could be a mix of on the record and on background.

This is a case where the story is not yet drafted and we want your input in advance to help influence the story.

Thanks in advance

Eric

Eric Lipton



Washington Bureau

202 862 0448 office

Ex. 6 Personal Privacy (PP)

mobile

lipton@nytimes.com

**To:** Rodrick, Christian[rodrick.christian@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Fri 6/15/2018 1:14:14 PM (UTC)  
**Subject:** Re: WOTUS Announcement Coming

Thx!

Sent from my iPhone

On Jun 15, 2018, at 9:13 AM, Rodrick, Christian <rodrick.christian@epa.gov> wrote:

Molly,

FYI, from the Western Caucus on only Step 2 going out.

*Christian Rodrick  
Special Assistant  
Congressional Affairs U.S. EPA  
O: (202) 564-4828*

---

**From:** Small, Jeff [mailto:Jeff.Small@mail.house.gov]  
**Sent:** Friday, June 15, 2018 9:12 AM  
**To:** Rodrick, Christian <rodrick.christian@epa.gov>  
**Cc:** Ringel, Aaron <ringel.aaron@epa.gov>  
**Subject:** RE: WOTUS Announcement Coming

Christian,

Good chatting. Attached is what we had ready to go.

We will likely have to tweak the quotes a bit and wait till the supplemental for Step 1 comes out before putting out a comment.

We don't think it makes much since to put out anything today after all as we obviously can't see the definition you all sent to OMB and most our quotes focused on the Step 1 supplemental.

Please definitely keep us in the loop though as this is a big issue for our members and they want to be supportive.

**Jeff Small**  
*Executive Director | Congressional Western Caucus  
Senior Advisor | Congressman Paul A. Gosar, D.D.S.  
2057 Rayburn HOB | Washington, DC 20515  
(202) 225-2315 main  
jeff.small@mail.house.gov*  
<image001.png><image002.png><image003.png><image004.png>

---

**From:** Rodrick, Christian [mailto:rodrick.christian@epa.gov]  
**Sent:** Thursday, June 14, 2018 9:08 AM  
**To:** Small, Jeff  
**Cc:** Ringel, Aaron  
**Subject:** WOTUS Announcement Coming

Jeff,

Wanted to give you a heads up—timing is still fluid as it may come this afternoon or tomorrow, but EPA and the Army will be taking two actions in their Joint Efforts to Repeal and Redefine WOTUS. Below please find the embargoed draft release below. The release is still subject to some small changes, so we of course ask that you keep it close hold.

If you have any questions or concerns, please let me know.

**Christian Rodrick**

*Special Assistant*

*Congressional and Intergovernmental Relations*

U.S. Environmental Protection Agency

O: (202) 564-4828

C: Ex. 6 Personal Privacy (PP)

E: [Rodrick.Christian@epa.gov](mailto:Rodrick.Christian@epa.gov)

---

## **EPA and Army Take Two Actions in Their Joint Efforts to Repeal and Redefine “Waters of the U.S.”**

**WASHINGTON** (June 14, 2018) – Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt announced two important regulatory actions in EPA and the Department of the Army’s (Army) efforts to repeal and redefine “waters of the United States” (WOTUS). First, Administrator Pruitt announced that tomorrow both agencies will be sending a proposed “Step 2” rule that would redefine “waters of the United States” to the Office of Management and Budget for interagency review. The agencies will issue the proposal for public comment after the interagency review process is complete.

“Farmers, ranchers, landowners, and other stakeholders are counting on EPA to listen to their input when it comes to defining ‘waters of the United States,’” **said EPA Administrator Scott Pruitt.** “Today, we are taking an important step toward issuing a new WOTUS definition and answering President Trump’s call to ensure that our waters are kept free from pollution, while promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of the federal government and the states under the statutory framework of the Clean Water Act.”

Second, Administrator Pruitt announced that, in a separate, but related action, EPA and the Army have issued a supplemental notice of proposed rulemaking to the July 2017 proposed action to repeal the 2015 definition of WOTUS (also known as Step 1).

During last summer’s public comment period, EPA and the Army heard from hundreds of thousands of stakeholders about the proposal to repeal the 2015 definition of WOTUS. After reviewing this input, EPA and the Army are issuing a supplemental notice of proposed rulemaking to clarify that the agencies are proposing to permanently repeal the 2015 rule in its entirety. EPA and the Army are also proposing to recodify the pre-2015 regulations as amended by Supreme Court precedent — a longstanding regulatory framework that is currently being administered by the agencies — to keep them in place until the agencies finalize a new definition of WOTUS.

The agencies are also issuing the supplemental notice of proposed rulemaking to give the public an opportunity to comment on the additional considerations that support the agencies’ proposed repeal, some of which the agencies did not discuss in detail in the initial proposal.

“From day one we have been focused on bringing common sense and fairness back to the rulemaking process,” **said Army (Civil Works) assistant secretary R.D. James.** “Today’s actions highlight our commitment to listening to public input, providing clear and transparent rules, and ensuring that our waters remain clean and our economy can continue to thrive.”

The agencies are continuing to review the comments received on the July 2017 proposal and will be accepting public comment on the supplemental proposal for 30 days after it is published in the Federal Register. Commenters do not need to resubmit comments already provided to the agencies in response to the July 2017 proposal.

For more information on both actions: [www.epa.gov/wotus-rule](http://www.epa.gov/wotus-rule)

### **Background**

The EPA and the Army are working through a two-step process to consider revisions to the definition of “waters of the United States,” consistent with the [President’s February 2017 Executive Order](#).





Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 7/18/2018 1:07:17 PM  
**To:** Brendan Gibbons; **Ex. 6 Personal Privacy (PP)**  
**CC:** Gray, David [gray.david@epa.gov]  
**Subject:** RE: San Antonio NAAQS determination

Thanks! Let us know if you need anything else.

**From:** Brendan Gibbons [mailto:**Ex. 6 Personal Privacy (PP)**]  
**Sent:** Wednesday, July 18, 2018 9:06 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Gray, David <gray.david@epa.gov>; Durant, Jennah <Durant.Jennah@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>  
**Subject:** Re: San Antonio NAAQS determination

Received, thank you. I will respect the embargo until 10 a.m. CST.

On Wed, Jul 18, 2018 at 8:01 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Brendan,

Embargoed until 10:00 AM CST: The ozone designations for the 8 counties around San Antonio were signed and finalized yesterday. Attached you'll find the Federal Register notice for San Antonio's final ozone designation. Please see our press release going out later today: <http://createsend.com/t/d-BDCEC335A60D1C142540EF23F30FEDED>. The embargo will give you time to publish/post a story before we send out the press release. Please let me know if you need anything else or have any questions. Thanks!

**"We look forward to supporting Texas as they work to improve air quality and foster economic opportunity,"** said Acting Administrator Andrew Wheeler. **"Information provided by the state indicates that the San Antonio area is on the path toward attainment, and we expect Bexar County will be able to demonstrate that it meets the standard well in advance of the attainment date in 2021. Analysis from Texas about the role of international emissions, including from Mexico, and the pending closure of a coal-fired power plant in Bexar County will help ensure that implementation of this standard has minimal burdens on economic development."**

Overall, the U.S. has experienced dramatic progress for ozone and other air pollutants and we expect these trends to continue in San Antonio and Texas. Compared to designations issued in 2012 for the 2008 standards, there are more than 10 percent fewer counties being designated "nonattainment" for the more stringent 2015 standard. National average ozone concentrations dropped by 13 percent from 2007 to 2016, and its precursor emissions have also plummeted over the last decade (U.S. emissions of volatile organic compounds dropped by more than 15 percent from 2007 to 2016, and nitrogen oxide emissions were down 40 percent over the same period).

Molly

**Molly Block**

Press Secretary

Office of Public Affairs

U.S. Environmental Protection Agency

**From:** Brendan Gibbons <[REDACTED] Ex. 6 Personal Privacy (PP)>

**Date:** July 18, 2018 at 8:52:10 AM EDT

**To:** "Durant, Jennah" <[durant.jennah@epa.gov](mailto:durant.jennah@epa.gov)>, "Gray, David" <[gray.david@epa.gov](mailto:gray.david@epa.gov)>

**Subject:** San Antonio NAAQS determination

Hello,

Yesterday, July 17, was a court-imposed deadline for the EPA to make a determination on whether San Antonio is in attainment of the 2015 ozone standard.

No notice of the decision appeared in yesterday's or today's Federal Register. Nor have I been able to find it in the court docket for the ongoing case in California's Northern District Court. No news releases about the decision, either.

When and where can I expect to find a notice about this decision?

Thank you,

**Brendan Gibbons**

Environment and Energy Reporter | [The Rivard Report](#)

970-270-5176

110 E. Houston St.

San Antonio, TX 78205

@bgibbs

--

**Brendan Gibbons**

Environment and Energy Reporter | [The Rivard Report](#)

970-270-5176

110 E. Houston St.

San Antonio, TX 78205

@bgibbs

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/19/2018 6:58:31 PM  
**To:** Deegan, Dave [Deegan.Dave@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]  
**CC:** Gutro, Doug [Gutro.Doug@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]; Manges, Ellen [Manges.Ellen@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]  
**Subject:** RE: Query from the Associated Press about Pease Superfund cleanup

That's fine to share on background – not for attribution. But let's make sure they reach out to the Air Force/DOD on specifics.

---

**From:** Deegan, Dave  
**Sent:** Tuesday, June 19, 2018 1:45 PM  
**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Cc:** Gutro, Doug <Gutro.Doug@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Manges, Ellen <Manges.Ellen@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>  
**Subject:** RE: Query from the Associated Press about Pease Superfund cleanup

Hi All,

Here's some suggested language on status etc. from our team. Any update on how HQ would like to proceed on this? Thus far I have not contacted the reporter, even to acknowledge receipt of the inquiry. Also please note, due to the email problems today, we have not yet received name and contact info for an Air Force public information officer.

Dave

>>>

## Ex. 5 Deliberative Process (DP)

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Dave Deegan  
U.S. EPA, New England Regional Office  
Office of Public Affairs  
Media Relations | Social Media | Web Content  
phone: 617.918.1017 | mobile: Ex. 5 Personal Privacy (PP)  
email: [deegan.dave@epa.gov](mailto:deegan.dave@epa.gov)



---

**From:** Grantham, Nancy  
**Sent:** Tuesday, June 19, 2018 9:30 AM  
**To:** Deegan, Dave <Deegan.Dave@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Cc:** Gutro, Doug <Gutro.Doug@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Manges, Ellen <Manges.Ellen@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>  
**Subject:** RE: Query from the Associated Press about Pease Superfund cleanup

Also looping in ow and olem comms thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**Ex. 6 Personal Privacy (PP) (mobile)**

---

**From:** Deegan, Dave  
**Sent:** Tuesday, June 19, 2018 9:27 AM  
**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Cc:** Gutro, Doug <Gutro.Doug@epa.gov>; Deegan, Dave <Deegan.Dave@epa.gov>  
**Subject:** FW: Query from the Associated Press about Pease Superfund cleanup

Hi Nancy and Molly,

Wanted to alert you to this inquiry from AP regarding Pease Air Force Base/SF Site. Please note, the reporter is based in Denver so this maybe is part of a larger inquiry, possibly related Ex. 5 Deliberative Process (DP)

After initial consultation with our SF site team and management, we believe this inquiry is Ex. 5 Deliberative Process (DP)  
Ex. 5 Deliberative Process (DP) We could draft a brief response directing them to  
Ex. 5 Deliberative Process (DP)  
Ex. 5 Deliberative Process (DP) Please let me know if this is what you prefer, or how you want us to assist.

Thanks!  
Dave

~~~~~

Dave Deegan  
U.S. EPA, New England Regional Office  
Office of Public Affairs  
Media Relations | Social Media | Web Content  
phone: 617.918.1017 | mobile: Ex. 6 Personal Privacy (PP)  
email: [deegan.dave@epa.gov](mailto:deegan.dave@epa.gov)



---

**From:** Dumville, Kelsey  
**Sent:** Tuesday, June 19, 2018 6:38 AM  
**To:** Daly, Michael <Daly.Mike@epa.gov>  
**Cc:** Deegan, Dave <Deegan.Dave@epa.gov>  
**Subject:** Fwd: Query from the Associated Press about Pease Superfund cleanup

Begin forwarded message:

**From:** "Elliott, Dan" <delliott@ap.org>  
**Date:** June 18, 2018 at 6:45:17 PM EDT  
**To:** "dumville.kelsey@epa.gov" <dumville.kelsey@epa.gov>  
**Subject:** Query from the Associated Press about Pease Superfund cleanup

Kelsey:

I'm a reporter with the Associated Press, researching a story on former military and weapons sites that have been converted into wildlife refuges, and I have some questions about the Pease Air Force Base Superfund site:

1. Who is in charge of the cleanup -- EPA, the Air Force or some combination?
2. Is the cleanup complete?
3. If so, what was the completion date? If not, do you have a projected completion date?
4. How much has the cleanup cost to date?
5. If the cleanup is still underway, how much is it expected to cost total?
6. Is the Air Force a potentially responsible party?
7. If so, how much of the cleanup costs has the Air Force paid to date, and how much total is it expected to pay?
8. Have any other potentially responsible parties been identified?

Can you help, or can you refer me to someone who can? I don't have a firm deadline but I'm hoping to nail this down by the June 27.

Thank you.

Dan Elliott



**ASSOCIATED PRESS**

**Dan Elliott**

303-825-0123 (Office)

Ex. 6 Personal Privacy (PP) Mobile)

[delliott@ap.org](mailto:delliott@ap.org)

@DanElliottAP

<http://bigstory.ap.org/content/dan-elliott>

1120 Lincoln St.

Suite 901

Denver, CO 80203

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/19/2018 5:04:14 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Science Magazine - methane emissions - 6/20

Edited below.

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, June 19, 2018 12:58 PM  
**To:** Press <Press@epa.gov>  
**Subject:** RE: For Review: Science Magazine - methane emissions - 6/20

OK to send?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, June 19, 2018 11:20 AM  
**To:** Press <Press@epa.gov>  
**Subject:** RE: For Review: Science Magazine - methane emissions - 6/20

UPDATE: The program is now asking us to send this one. Please advise

Ex. 5 Deliberative Process (DP)

**Background:**

Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, June 19, 2018 11:17 AM

To: Press <Press@epa.gov>

Subject: For Review: Science Magazine - methane emissions - 6/20

From the program. OK to send for attribution to a spokesperson?

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
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Ex. 6 Personal Privacy (PP) (M)

From: Warren Cornwall [mailto:Ex. 6 Personal Privacy (PP)]  
Sent: Monday, June 18, 2018 1:52 PM  
To: Press <Press@epa.gov>  
Subject: Journalist for Science re. methane emissions

Hello,

I'm a correspondent for Science magazine. I'm writing a story about a new study appearing in Science this week evaluating methane emissions related to oil and gas facilities.

It finds that emissions from oil and gas facilities are approximately 60% higher than EPA estimates for the agency's greenhouse gas inventory. The primary explanation is that the study captures emissions from a small number of "super emitters" - facilities that have unusually high emissions.

I would like to talk with someone at EPA who works on methane emission inventories, to get a better understanding of how EPA does those emissions, and how that compares to the methods used in the new paper.

I am on deadline for Wednesday at noon. I can be reached via e-mail, or on my cell phone at Ex. 6 Personal Privacy (PP)

Thanks for your help. I look forward to talking.

Best,

Warren

Warren Cornwall  
Ex. 6 Personal Privacy (PP)

C: Ex. 6 Personal Privacy (PP)  
O: 360-603-4249

Skype: warren.cornwall (near Seattle)

Encrypted, confidential correspondence: Signal texting app to Ex. 6 Personal Privacy (PP)



<http://warrencornwall.wordpress.com>

Twitter: @WarrenCornwall

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/2/2018 9:47:37 PM  
**To:** jim.spencer@startribune.com  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Request for comment

Jim –

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete.” **Jahan Wilcox, EPA spokesperson**

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption. As of 4/24/18: 24 approvals, 1 denial and 4 pending – total applicants are 29. There are 38 plants who could qualify for exemptions in the U.S.
- In 2016, EPA received 20 petitions and granted 19 based on DOE’s recommendation.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
- During the Obama Administration, there was often disagreement by EPA with DOE’s recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency’s viability analysis employed by the previous administration to be inconsistent with congress’s intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA’s requirement that refineries demonstrate an “existential threat” to their long-term viability as the standard for demonstrating “disproportionate economic hardship” inconsistent with EPA’s statutory authority and vacated a previously denied hardship exemption and remanded Sinclair’s hardship petitions back to EPA for further consideration.

**From:** "Spencer, Jim" <Jim.Spencer@startribune.com>  
**Date:** May 2, 2018 at 4:09:37 PM EDT  
**To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Subject:** Request for comment

Robert,

I am writing a story about the Advanced Biofuels Association's petition for a review of EPA's renewable fuel standard waiver program. Can you please provide me a reaction as soon as possible. I am specifically interested in

EPA's reaction to the charge that it has lowered the standard and destabilized the ethanol market. I appreciate the effort.

Thanks,

Jim Spencer  
Minneapolis Star Tribune  
Washington Correspondent  
529 14th St. NW  
Suite 969  
Washington, DC 20045

Ex. 6 Personal Privacy (PP) mobile

[jim.spencer@startribune.com](mailto:jim.spencer@startribune.com)

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/14/2018 8:23:30 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Presidio Sentinel (P. Ducey-Brooks) - Methylene Chloride and NMP status - 6/15

Good by me. And good to attribute to an EPA spokesperson.

---

**From:** Daguillard, Robert  
**Sent:** Thursday, June 14, 2018 4:22 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Presidio Sentinel (P. Ducey-Brooks) - Methylene Chloride and NMP status - 6/15

From the program. OK to send for attribution to a spokesperson?

**Response:** Ex. 5 Deliberative Process (DP)  
Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Patty Ducey-Brooks [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Wednesday, June 13, 2018 3:27 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Methylene Chloride and NMP status

Hi Robert,

Thanks for your understanding and assistance. I should have prefaced with, what is the timeline on Methylene Chloride?

I truly appreciate your quick replies.

Kindly,

Patty Ducey-Brooks  
Publisher & Executive Editor  
**Presidio Sentinel**  
[www.presidiosentinel.com](http://www.presidiosentinel.com)  
P: 619-296-8731  
F: 619-295-1138  
C: Ex. 6 Personal Privacy (PP)

**Serving San Diego for over 19 Years.**

-----Original Message-----

From: Daguillard, Robert <Daguillard.Robert@epa.gov>  
To: Patty Ducey-Brooks <[Ex. 6 Personal Privacy (PP)]>  
Sent: Wed, Jun 13, 2018 12:04 pm  
Subject: RE: Methylene Chloride and NMP status

Thanks, Patty. Working on a response. Please note, our previous response should read:

RESPONSE: EPA is working to send the finalized **methylene chloride** rulemaking to OMB. That document will contain actions that the Agency will take, including timeframes. For **NMP**, the uses that were in the proposed rule will be included in the risk **\*evaluation\*** required by the amended TSCA. Conducting these evaluations does not preclude EPA from finalizing the proposed NMP regulation if through its evaluation EPA determines that any of the conditions of use present unreasonable risk – **EPA Spokesperson**

We just added a previously dropped word.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
[Ex. 6 Personal Privacy (PP)] (M)

From: Patty Ducey-Brooks [mailto:[Ex. 6 Personal Privacy (PP)]]  
Sent: Wednesday, June 13, 2018 12:18 PM  
To: Daguillard, Robert <Daguillard.Robert@epa.gov>  
Subject: Re: Methylene Chloride and NMP status

Hi Robert,

Thanks for your communication. Is it possible to get the proposed timelines?

Kindly,

Patty Ducey-Brooks  
Publisher & Executive Editor  
**Presidio Sentinel**  
[www.presidiosentinel.com](http://www.presidiosentinel.com)  
P: 619-296-8731  
F: 619-295-1138  
C: [Ex. 6 Personal Privacy (PP)]

**Serving San Diego for over 19 Years.**

-----Original Message-----

From: Daguillard, Robert <Daguillard.Robert@epa.gov>  
To: Patty Ducey-Brooks <[Ex. 6 Personal Privacy (PP)]>  
Cc: Press <Press@epa.gov>  
Sent: Wed, Jun 13, 2018 8:48 am  
Subject: RE: Methylene Chloride and NMP status

Good morning Patty,

RESPONSE: EPA is working to send the finalized **methylene chloride** rulemaking to OMB. That document will

contain actions that the Agency will take, including timeframes. For **NMP**, the uses that were in the proposed rule will be included in the risk required by the amended TSCA. Conducting these evaluations does not preclude EPA from finalizing the proposed NMP regulation if through its evaluation EPA determines that any of the conditions of use present unreasonable risk – **EPA Spokesperson**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Patty Ducey-Brooks [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Tuesday, June 12, 2018 4:06 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Methylene Chloride and NMP status

Robert,

Thanks for your prompt reply. Do you think you can get an answer by June 15?

Patty Ducey-Brooks  
Publisher & Executive Editor  
**Presidio Sentinel**  
[www.presidiosentinel.com](http://www.presidiosentinel.com)  
P: 619-296-8731  
F: 619-295-1138  
C: Ex. 6 Personal Privacy (PP)

**Serving San Diego for over 19 Years.**

-----Original Message-----

**From:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**To:** Patty Ducey-Brooks <Ex. 6 Personal Privacy (PP)>  
**Sent:** Tue, Jun 12, 2018 12:53 pm  
**Subject:** RE: Methylene Chloride and NMP status

Good afternoon Patty,

Thanks for reaching out. What's your deadline, please?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Patty Ducey-Brooks [mailto:Ex. 6 Personal Privacy (PP)]

**Sent:** Tuesday, June 12, 2018 3:44 PM

**To:** Press <Press@epa.gov>

**Subject:** Methylene Chloride and NMP status

I am doing a follow up article on these two chemicals and would like to know when the EPA intends to have products with these formulations banned from store shelves. Our readers are asking.

Kindly,

Patty Ducey-Brooks

Publisher & Executive Editor

**Presidio Sentinel**

[www.presidiosentinel.com](http://www.presidiosentinel.com)

P: 619-296-8731

F: 619-295-1138

C Ex. 6 Personal Privacy (PP)

**Serving San Diego for over 19 Years.**

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/30/2018 6:19:53 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR Review: Automotive News (S. Mertl) - Diesel Emission Testing Procedures - ASAP

Edited below. Please send all on background.

**From:** Daguillard, Robert  
**Sent:** Monday, April 30, 2018 2:12 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR Review: Automotive News (S. Mertl) - Diesel Emission Testing Procedures - ASAP

**SUMMARY:** The reporter is asking about the current status of diesel passenger vehicle certification following the agency's 2015. update to its diesel emission testing procedures Julia V thought it important to

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Steve Mertl – Automotive News (Canadian Edition) [smertl@shaw.ca](mailto:smertl@shaw.ca)

### RESPONSE:

Follow-up questions: Just checking to see whether you've made any progress on my information request **and to submit one other question. Can you say how many diesel passenger vehicles (not pickups) are currently in the certification pipeline, if any? I know you can't discuss specific models but I could use a number.**

Response about the current certification pipeline:

## Ex. 5 Deliberative Process (DP)

Regarding manufacturer's alleged complaints:

## Ex. 5 Deliberative Process (DP)

On background and not for attribution:

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)



**Ex. 6 Personal Privacy (PP)** (M)

-----Original Message-----

From: Valentine, Julia  
Sent: Tuesday, April 24, 2018 2:22 PM  
To: Press <[Press@epa.gov](mailto:Press@epa.gov)>  
Subject: FW: Press Inquiry emissions testing

Will update our response and review with the programs.

## **Ex. 5 Deliberative Process (DP)**

-----Original Message-----

From: Steve Mertl [<mailto:smertl@shaw.ca>]  
Sent: Tuesday, April 24, 2018 2:06 PM  
To: Valentine, Julia <[Valentine.Julia@epa.gov](mailto:Valentine.Julia@epa.gov)>  
Subject: Press Inquiry emissions testing

Greetings Julia:

I'm a contributing reporter for the Canadian edition of Automotive News. I'm writing a piece on the diesel passenger vehicle market in Canada.

The EPA revised its vehicle emissions testing procedures in the wake of the VW diesel cheating scandal. Since then, OEMs have at times complained the new procedure was lengthening the time it took for models to go through the process.

I had an email exchange with your colleague, Nick Conger, in November 2016 when he told me this:

"It is true that EPA has expanded our testing protocols and that the extra scrutiny has extended the certification process in some cases. In general, manufacturers have been supportive of this additional testing and have adjusted their timing to account for the additional test duration."

I'm following up with you to see what the situation is now. Can you say on average how much longer it takes to get diesel or gasoline-fueled vehicles through the certification process compared with the time it took before "dieselgate"? Have there been any complaints or concerns from automakers about this and, if so, from whom?

I'm hoping to write the story this week for our May print edition.

Regards,  
Steve Mertl  
Vancouver  
604-551-8653

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/30/2018 5:16:36 PM  
**To:** Elvina Nawaguna [elvinanawaguna@cqrollcall.com]  
**CC:** Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** RE: Verifying reports on CAFE standards proposal and CVR Energy RFS waiver

Requests for waivers are based on CBI, EPA cannot share company-specific information.

**From:** Elvina Nawaguna [mailto:elvinanawaguna@cqrollcall.com]  
**Sent:** Monday, April 30, 2018 1:15 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** Re: Verifying reports on CAFE standards proposal and CVR Energy RFS waiver

Thanks, Molly.  
Any way to comment specifically on CVR Energy?

Also any word on the CAFE standards? (I've also reached out to NHTSA) but would like a comment from EPA since both agencies are in charge.

Elvina Nawaguna  
Energy and Environment Reporter  
CQ Roll Call  
1625 Eye St. NW #200  
Washington, DC 20006  
Cell: Ex. 6 Personal Privacy (PP)  
Desk: 202-650-6597

On 30 April 2018 at 13:11, Block, Molly <block.molly@epa.gov> wrote:

Elvina –

**On RFS:** “The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete.” **Jahan Wilcox, EPA spokesperson**

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption. As of 4/24/18: 24 approvals, 1 denial and 4 pending – total applicants are 29. There are 38 plants who could qualify for exemptions in the U.S.
- In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to "disproportionate economic hardship."
- During the Obama Administration, there was often disagreement by EPA with DOE's recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency's viability analysis employed by the previous administration to be inconsistent with congress's intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA's requirement that refineries demonstrate an "existential threat" to their long-term viability as the standard for demonstrating "disproportionate economic hardship" inconsistent with EPA's statutory authority and vacated a previously denied hardship exemption and remanded Sinclair's hardship petitions back to EPA for further consideration.

**From:** Elvina Nawaguna [mailto:[elvinanawaguna@cqrollcall.com](mailto:elvinanawaguna@cqrollcall.com)]

**Sent:** Monday, April 30, 2018 9:29 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>

**Subject:** Verifying reports on CAFE standards proposal and CVR Energy RFS waiver

Hi Liz,

Hope you had a good weekend.

Would like to get verification on whether the EPA has a draft proposal to freeze fuel economy standards, according to various news reports. When do you plan to make an official announcement? Any way to get a copy of the draft?

Also looking to verify Reuters report that EPA has granted Carl Icahn's CVR Energy an RFS waiver.

Working on a deadline of 11 a.m.

Thanks.

Elvina

Elvina Nawaguna  
Energy and Environment Reporter  
CQ Roll Call  
1625 Eye St. NW #200  
Washington, DC 20006  
Cell: [Ex. 6 Personal Privacy (PP)]

Desk: 202-650-6597

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**To:** Miranda Green[mgreen@thehill.com]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Mon 4/30/2018 5:12:45 PM (UTC)  
**Subject:** RE: Comment on Bloomberg story

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete.” **Jahan Wilcox, EPA spokesperson**

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption. As of 4/24/18: 24 approvals, 1 denial and 4 pending – total applicants are 29. There are 38 plants who could qualify for exemptions in the U.S.
- In 2016, EPA received 20 petitions and granted 19 based on DOE’s recommendation.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
- During the Obama Administration, there was often disagreement by EPA with DOE’s recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency’s viability analysis employed by the previous administration to be inconsistent with congress’s intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA’s requirement that refineries demonstrate an “existential threat” to their long-term viability as the standard for demonstrating “disproportionate economic hardship” inconsistent with EPA’s statutory authority and vacated a previously denied hardship exemption and remanded Sinclair’s hardship petitions back to EPA for further consideration.

**From:** Miranda Green [mailto:mgreen@thehill.com]  
**Sent:** Monday, April 30, 2018 9:55 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Comment on Bloomberg story

Hi,

I'm looking to get a comment and confirmation that EPA granted CVR Energy Inc a financial hardship waiver meant for small refineries.

Based on this reporting: <https://www.reuters.com/article/us-usa-biofuels-epa-icahn/exclusive-u-s-epa-grants-biofuels-waiver-to-billionaire-icahns-oil-refinery-sources-idUSKBN1I10YB>

Thanks,  
Miranda

--  
Miranda Green  
Energy and Environment Reporter, The Hill  
202-999-0660  
[mgreen@thehill.com](mailto:mgreen@thehill.com)  
[@mirandacgreen](#)

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 7/5/2018 2:57:50 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW: AXIOS- checking in on regulations' status 7/5

Good to go.

---

**From:** Daguillard, Robert  
**Sent:** Thursday, July 5, 2018 7:58 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Re: FOR REVIEW: AXIOS- checking in on regulations' status 7/5

Good morning. Is the preceding OK to send?

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Jul 3, 2018, at 7:50 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

+ OW portion:

## Ex. 5 Deliberative Process (DP)

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Date:** July 3, 2018 at 7:45:09 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: AXIOS- checking in on regulations' status 7/5

Combined responses from OAR and OW, seen by OP. OK to send?

RESPONSE (for attribution ?):

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Jul 2, 2018, at 6:01 PM, Amy Harder <[amy@axios.com](mailto:amy@axios.com)> wrote:

Hello, I hope this note finds you well. I'm doing an update of the agency's regulatory rollback/replacement of a few key Obama-era rules.

1. On methane, I see here that EPA indicated it would issue a proposal by May. Did that occur? Are you still on track to issue a final replacement rule by November?
2. Given Friday's news of additional comment, is EPA still on track to issue the proposed replacement WOTUS rule in August, per this OMB website?
3. The OMB notice says EPA/DOT would issue the re-proposed fuel economy standards by June. What is the updated release of that proposal?
4. This OMB note also says June for the Clean Power Plan replacement. What is the anticipated release on that?

Could you get back to me by Thursday? I can be reached at 202.906.9629 if need be.

Best,

Amy



Amy Harder  
Energy Reporter, Axios  
[@AmyAHarder](https://twitter.com/AmyAHarder)  
[amy@axios.com](mailto:amy@axios.com) | 202.906.9629  
[Check out my Harder Line columns](#)

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/30/2018 5:11:58 PM  
**To:** Elvina Nawaguna [elvinanawaguna@cqrollcall.com]; Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** RE: Verifying reports on CAFE standards proposal and CVR Energy RFS waiver

Elvina –

**On RFS:** “The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete.” **Jahan Wilcox, EPA spokesperson**

- Additional background (not for attribution):
- ∞ As requests for waivers are based on CBI, EPA cannot share company-specific information.
  - ∞ Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption. As of 4/24/18: 24 approvals, 1 denial and 4 pending – total applicants are 29. There are 38 plants who could qualify for exemptions in the U.S.
  - ∞ In 2016, EPA received 20 petitions and granted 19 based on DOE’s recommendation.
  - ∞ When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
  - ∞ During the Obama Administration, there was often disagreement by EPA with DOE’s recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
  - ∞ On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency’s viability analysis employed by the previous administration to be inconsistent with congress’s intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA’s requirement that refineries demonstrate an “existential threat” to their long-term viability as the standard for demonstrating “disproportionate economic hardship” inconsistent with EPA’s statutory authority and vacated a previously denied hardship exemption and remanded Sinclair’s hardship petitions back to EPA for further consideration.

**From:** Elvina Nawaguna [mailto:elvinanawaguna@cqrollcall.com]  
**Sent:** Monday, April 30, 2018 9:29 AM  
**To:** Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** Verifying reports on CAFE standards proposal and CVR Energy RFS waiver

Hi Liz,  
Hope you had a good weekend.

Would like to get verification on whether the EPA has a draft proposal to freeze fuel economy standards, according to various [news reports](#). When do you plan to make an official announcement? Any way to get a copy of the draft?

Also looking to verify [Reuters report](#) that EPA has granted Carl Icahn’s CVR Energy an RFS waiver.

Working on a deadline of 11 a.m.



Thanks.  
Elvina

Elvina Nawaguna  
Energy and Environment Reporter  
CQ Roll Call  
1625 Eye St. NW #200  
Washington, DC 20006  
Cell: Ex. 6 Personal Privacy (PP)  
Desk: 202-650-6597

This e-mail may contain confidential material. If you are not an intended recipient, please notify the sender and delete all copies. It may also contain personal views which are not the views of CQ Roll Call or its owner, The Economist Group. We may monitor e-mail to and from our network. For company information go to <http://legal.economistgroup.com>.

**To:** Bowman, Liz[Bowman.Liz@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]  
**Cc:** Letendre, Daisy[letendre.daisy@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Mon 4/30/2018 5:10:30 PM (UTC)  
**Subject:** RE: latest RFS statement

Thanks! Will send this as a response for incoming inquiries.

**From:** Bowman, Liz  
**Sent:** Monday, April 30, 2018 1:10 PM  
**To:** Block, Molly <block.molly@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>  
**Cc:** Letendre, Daisy <letendre.daisy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>  
**Subject:** RE: latest RFS statement

**Ex. 5 Deliberative Process (DP)**

Please see below, and use this version.

**Ex. 5 Deliberative Process (DP)**

Additional background (not for attribution):

**Ex. 5 Deliberative Process (DP)**

###

**To:** Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]  
**Cc:** Dominguez, Alexander[dominguez.alexander@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Konkus, John[konkus.john@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Wed 6/13/2018 6:59:40 PM (UTC)  
**Subject:** RE: FOR REVIEW: From Steve Jordon, Omaha World-Herald

What about this?

# Ex. 5 Deliberative Process (DP)

**From:** Gunasekara, Mandy  
**Sent:** Wednesday, June 13, 2018 12:56 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Dominguez, Alexander <dominguez.alexander@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: FOR REVIEW: From Steve Jordon, Omaha World-Herald

I’m going to tinker with this a bit. Working on now

Sent from my iPhone  
On Jun 13, 2018, at 11:06 AM, Block, Molly <block.molly@epa.gov> wrote:

We can also add in this quote from Lincoln yesterday:

# Ex. 5 Deliberative Process (DP)

**From:** Block, Molly  
**Sent:** Wednesday, June 13, 2018 11:50 AM  
**To:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** FOR REVIEW: From Steve Jordon, Omaha World-Herald

Would it be worth it to recycle this response (I pared down the background section):

# Ex. 5 Deliberative Process (DP)

Additional background (not for attribution):

## Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Jordon, Steve [<mailto:JORDON@owh.com>]

Sent: Wednesday, June 13, 2018 11:45 AM

To: Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

Cc: Press <[Press@epa.gov](mailto:Press@epa.gov)>

Subject: From Steve Jordon, Omaha World-Herald

Molly:

I'm doing a story on comments by Emily Skor, CEO of Growth Energy, an ethanol advocacy group, from an interview I did with her this morning.

She said the EPA, and specifically Administrator Scott Pruitt, is destroying ethanol demand by granting waivers to petroleum refineries and not reassigning those blending requirements elsewhere, thus reducing the amount of ethanol that will be produced this year below the 15 billion-gallon target required under the law.

She says President Trump promised to uphold the 15 billion gallon requirement; Pruitt's actions are destroying demand, breaking the law and making the president a liar, she said.

Can you give me a response on this? My deadline is 4 p.m Eastern time.

Steve Jordon, reporter  
The Omaha World-Herald  
Omaha, Nebraska  
Office: 402-444-1080

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/30/2018 3:52:37 PM  
**To:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** latest RFS statement

Here's the latest version we've been using:

# Ex. 5 Deliberative Process (DP)

Additional background (not for attribution):

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# Ex. 5 Deliberative Process (DP)

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/9/2018 5:41:02 PM  
**To:** Ronald Orol [rorol@thedeal.com]  
**Subject:** RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Adding the press box

-----Original Message-----

From: Ronald Orol [mailto:rorol@thedeal.com]  
Sent: Wednesday, May 9, 2018 1:38 PM  
To: Block, Molly <block.molly@epa.gov>  
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Ok so where is the Warren letter getting the "6-8 waivers granted annually in the past several years" when you have 25 waivers in 2017 and 19 waivers in 2016?

-----Original Message-----

From: Block, Molly [mailto:block.molly@epa.gov]  
Sent: Wednesday, May 09, 2018 1:36 PM  
To: Ronald Orol <rorol@thedeal.com>  
Cc: Press <Press@epa.gov>; Daguiillard, Robert <Daguiillard.Robert@epa.gov>  
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Ronald -

RFS follows compliance years, it's different from the calendar year (think fiscal years).

In Compliance Year 2017: We received 30 petitions and approved 25 of those.  
In Compliance Year 2016: We received 20 petitions and approved 19 of those.

-----Original Message-----

From: Ronald Orol [mailto:rorol@thedeal.com]  
Sent: Wednesday, May 9, 2018 10:17 AM  
To: Block, Molly <block.molly@epa.gov>  
Cc: Press <Press@epa.gov>; Daguiillard, Robert <Daguiillard.Robert@epa.gov>  
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

This 2016 figure seems to contradict Warren's letter, which says that the EPA has granted at least 24 waivers in recent months, a significant change from the 6-8 waivers granted annually in the past several years.

. In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation

From: Block, Molly [mailto:block.molly@epa.gov]  
Sent: Wednesday, May 09, 2018 10:04 AM  
To: Ronald Orol <rorol@thedeal.com>  
Cc: Press <Press@epa.gov>; Daguiillard, Robert <Daguiillard.Robert@epa.gov>  
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete." Jahan Wilcox, EPA spokesperson Additional background (not for attribution):

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EPA with DOE's recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency. . On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency's viability analysis employed by the previous administration to be inconsistent with congress's intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA's requirement that refineries demonstrate an "existential threat" to their long-term viability as the standard for demonstrating "disproportionate economic hardship" inconsistent with EPA's statutory authority and vacated a previously denied hardship exemption and remanded Sinclair's hardship petitions back to EPA for further consideration.

From: Ronald Orol [mailto:rorol@thedeal.com]

Sent: Wednesday, May 09, 2018 9:13 AM

To: Daguiard, Robert <Daguiard.Robert@epa.gov>

Subject: FW: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Hi Robert,

Can I get a comment from the EPA on this? Can you provide a justification for providing CVR Energy a waiver from the RFS regulations? Are the statistics the senators cite correct, re. the number of waivers granted.. my deadline is noon.

Thanks,

Ron

From: Elizabeth Warren Press Office [mailto:press@warren.senate.gov]

Sent: Wednesday, May 09, 2018 8:25 AM

To: Ronald Orol <rorol@thedeal.com>

Subject: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

FOR IMMEDIATE RELEASE

May 9, 2018

Contact: Matt Cournoyer, 202-224-2292

Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery Icahn's CVR Energy Claimed "Economic Hardship" - but Made a Profit of over \$200 Million in 2017 DOJ Investigating Icahn for Potential Illegal Actions While Advising President Trump on RFS Letter to Icahn (PDF) | Letter to EPA (PDF) Washington, DC - United States Senators Elizabeth Warren (D-Mass.), Sheldon Whitehouse (D-R.I.), Sherrod Brown (D-Ohio), Tammy Duckworth (D-Ill.), Tammy Baldwin (D-Wis.), Amy Klobuchar (D-Minn.), and Tina Smith (D-Minn.) sent letters to Environmental Protection Agency (EPA) Administrator Scott Pruitt and Carl Icahn, billionaire former adviser to President Trump and Chairman of CVR Energy Inc., to request information on reports that the EPA granted CVR an "economic hardship waiver" from the Renewable Fuel Standard (RFS). The senators have previously raised concerns about Icahn's actions related to the RFS and his access to key Administration RFS decision makers when he was a White House special adviser. They expressed concern that Mr. Icahn, who is currently under investigation by federal prosecutors for potential illegal activity while working as a White House adviser to change RFS regulations, received a "hardship waiver" even though CVR made a profit of over \$230 million in 2017. In 2016, Mr. Icahn, who was a public supporter of Scott Pruitt's nomination as EPA Administrator, bet heavily on a drop in the price of renewable fuel credits. Mr. Icahn then secured a position as a senior adviser to President Trump and recommended personnel and policies that did in fact cause the price of these credits to drop - ultimately resulting in a \$50 million windfall for his company. After Mr. Pruitt was nominated, Mr. Icahn said that Scott Pruitt "feels strongly about the absurdity of these (RFS) obligations."

"We are troubled by the news that a corporation that made a profit of over \$200 million in 2017, and that is owned by a billionaire former 'special adviser' to the President who is currently under investigation by federal prosecutors for his activities in the RFS market, has now received a 'hardship waiver' from the RFS," wrote the senators.

Refiners can receive a temporary exemption from RFS requirements if they produce less than 75,000 barrels of oil per calendar day and prove to the EPA that complying with the RFS "would impose a disproportionate economic hardship" on them. The EPA has granted at least 24 waivers in recent months, a significant change from the 6-8 waivers granted annually in the past several years. CVR reported profits of over \$230 million in 2017 and reportedly received an exemption this year after being denied in a previous year. The senators asked the EPA and Mr. Icahn to answer questions about the exemption and how it was granted by no later than May 22, 2018.

In February 2017, Senator Warren led a letter to White House Counsel Don McGahn about the role Mr. Icahn was playing in President Trump's White House, how he was involved in the selection of Scott Pruitt to be the nominee for EPA Administrator, and to what extent Icahn influenced RFS policy. They also asked the EPA for information about Mr. Icahn's role in determining the fate of the RFS. In May of 2017, they called on the heads of the Commodities Futures Trading Commission (CFTC), the Securities and Exchange Commission (SEC), and the EPA to investigate the activities of Mr. Icahn for potential insider trading, market manipulation, and other securities and commodities law violations in the market for renewable fuel credits. Mr. Icahn's company disclosed in its November 2017 public SEC filings that DOJ had opened an investigation of Mr. Icahn's activities in the RFS market.

###

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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/9/2018 5:33:51 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Awesome, thanks!

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, May 9, 2018 1:32 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** Re: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Correct.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On May 9, 2018, at 1:17 PM, Block, Molly <block.molly@epa.gov> wrote:

Right but are those the correct compliance year dates? I just want to make sure I'm explaining it correctly to the reporter.

Sent from my iPhone

On May 9, 2018, at 1:16 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Those are the numbers I got in 4/24, but I'm still waiting for confirmation from the program.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On May 9, 2018, at 12:30 PM, Block, Molly <block.molly@epa.gov> wrote:

Sorry just taking another look at this. Is the below correct?

30 petitions, 25 approved is CY 2017  
20 petitions, 19 approved is CY 2016

-----Original Message-----  
From: Daguillard, Robert

Sent: Wednesday, May 9, 2018 10:30 AM  
To: Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

So, our figures, per OTAQ 4/24/18: 30 petitions received, 25 approved. I think we are still in compliance year 2017 - slight change from the figure you provided.

For compliance year, 20 petitions received, 19 approved.

I think he's mixing up CY 2016 and 2017 numbers.

Let me know if that helps.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

-----Original Message-----

From: Block, Molly  
Sent: Wednesday, May 09, 2018 10:23 AM  
To: Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Can you figure out the confusion here?

-----Original Message-----

From: Ronald Orol [<mailto:rorol@thedeal.com>]  
Sent: Wednesday, May 9, 2018 10:17 AM  
To: Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
Cc: Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

This 2016 figure seems to contradict Warren's letter, which says that the EPA has granted at least 24 waivers in recent months, a significant change from the 6-8 waivers granted annually in the past several years.

. In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation

From: Block, Molly [<mailto:block.molly@epa.gov>]  
Sent: Wednesday, May 09, 2018 10:04 AM  
To: Ronald Orol <[rorol@thedeal.com](mailto:rorol@thedeal.com)>  
Cc: Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguillard, Robert

<Daguillard.Robert@epa.gov>

Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

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From: Ronald Orol [<mailto:rorol@thedeal.com>]

Sent: Wednesday, May 09, 2018 9:13 AM

To: Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

Subject: FW: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

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Thanks,  
Ron

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Sent: Wednesday, May 09, 2018 8:25 AM  
To: Ronald Orol <[rorol@thedeal.com](mailto:rorol@thedeal.com)>  
Subject: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

FOR IMMEDIATE RELEASE

May 9, 2018

Contact: Matt Cournoyer, 202-224-2292

Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery Icahn's CVR Energy Claimed "Economic Hardship" - but Made a Profit of over \$200 Million in 2017 DOJ Investigating Icahn for Potential Illegal Actions While Advising President Trump on RFS Letter to Icahn (PDF) | Letter to EPA (PDF) Washington, DC - United States Senators Elizabeth Warren (D-Mass.), Sheldon Whitehouse (D-R.I.), Sherrod Brown (D-Ohio), Tammy Duckworth (D-Ill.), Tammy Baldwin (D-Wis.), Amy Klobuchar (D-Minn.), and Tina Smith (D-Minn.) sent letters to Environmental Protection Agency (EPA) Administrator Scott Pruitt and Carl Icahn, billionaire former adviser to President Trump and Chairman of CVR Energy Inc., to request information on reports that the EPA granted CVR an "economic hardship waiver" from the Renewable Fuel Standard (RFS). The senators have previously raised concerns about Icahn's actions related to the RFS and his access to key Administration RFS decision makers when he was a White House special adviser. They expressed concern that Mr. Icahn, who is currently under investigation by federal prosecutors for potential illegal activity while working as a White House adviser to change RFS regulations, received a "hardship waiver" even though CVR made a profit of over \$230 million in 2017.

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###

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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/9/2018 2:03:49 PM  
**To:** rorol@thedeal.com  
**CC:** Press [Press@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete.” **Jahan Wilcox, EPA spokesperson**

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption. As of 4/24/18: 24 approvals, 1 denial and 4 pending – total applicants are 29. There are 38 plants who could qualify for exemptions in the U.S.
- In 2016, EPA received 20 petitions and granted 19 based on DOE’s recommendation.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
- During the Obama Administration, there was often disagreement by EPA with DOE’s recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency’s viability analysis employed by the previous administration to be inconsistent with congress’s intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA’s requirement that refineries demonstrate an “existential threat” to their long-term viability as the standard for demonstrating “disproportionate economic hardship” inconsistent with EPA’s statutory authority and vacated a previously denied hardship exemption and remanded Sinclair’s hardship petitions back to EPA for further consideration.

---

**From:** Ronald Orol [<mailto:rorol@thedeal.com>]  
**Sent:** Wednesday, May 09, 2018 9:13 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** FW: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Hi Robert,

Can I get a comment from the EPA on this? Can you provide a justification for providing CVR Energy a waiver from the RFS regulations? Are the statistics the senators cite correct, re. the number of waivers granted.. my deadline is noon.

Thanks,

Ron

**From:** Elizabeth Warren Press Office [<mailto:press@warren.senate.gov>]

**Sent:** Wednesday, May 09, 2018 8:25 AM

**To:** Ronald Orol <[rorol@thedeal.com](mailto:rorol@thedeal.com)>

**Subject:** Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

**FOR IMMEDIATE RELEASE**

May 9, 2018

Contact: Matt Cournoyer, 202-224-2292

**Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery**

***Icahn's CVR Energy Claimed "Economic Hardship" - but Made a Profit of over \$200 Million in 2017***

***DOJ Investigating Icahn for Potential Illegal Actions While Advising President Trump on RFS***

[Letter to Icahn \(PDF\)](#) | [Letter to EPA \(PDF\)](#)

**Washington, DC** - United States Senators Elizabeth Warren (D-Mass.), Sheldon Whitehouse (D-R.I.), Sherrod Brown (D-Ohio), Tammy Duckworth (D-Ill.), Tammy Baldwin (D-Wis.), Amy Klobuchar (D-Minn.), and Tina Smith (D-Minn.) sent letters to Environmental Protection Agency (EPA) Administrator Scott Pruitt and Carl Icahn, billionaire former adviser to President Trump and Chairman of CVR Energy Inc., to request information on reports that the EPA granted CVR an "economic hardship waiver" from the Renewable Fuel Standard (RFS). The senators have previously raised concerns about Icahn's actions related to the RFS and his access to key Administration RFS decision makers when he was a White House special adviser. They expressed concern that Mr. Icahn, who is currently under investigation by federal prosecutors for potential illegal activity while working as a White House adviser to change RFS regulations, received a "hardship waiver" even though CVR made a profit of over \$230 million in 2017.

In 2016, Mr. Icahn, who was a public supporter of Scott Pruitt's nomination as EPA Administrator, bet heavily on a drop in the price of renewable fuel credits. Mr. Icahn then secured a position as a senior adviser to President Trump and recommended personnel and policies that did in fact cause the price of these credits to drop - ultimately resulting in a \$50 million windfall for his company. After Mr. Pruitt was nominated, Mr. Icahn said that Scott Pruitt "feels strongly about the absurdity of these (RFS) obligations."

"We are troubled by the news that a corporation that made a profit of over \$200 million in 2017, and that is owned by a billionaire former 'special adviser' to the President who is currently under investigation by federal prosecutors for his activities in the RFS market, has now received a 'hardship waiver' from the RFS," **wrote the senators**.

Refiners can receive a temporary exemption from RFS requirements if they produce less than 75,000 barrels of oil per calendar day and prove to the EPA that complying with the RFS "would impose a disproportionate economic hardship" on them. The EPA has granted at least 24 waivers in recent months, a significant change from the 6-8 waivers granted annually in the past several years. CVR reported profits of over \$230 million in 2017 and reportedly received an exemption this year after being denied in a previous year. The senators asked the EPA and Mr. Icahn to answer questions about the exemption and how it was granted by no later than May 22, 2018.

In February 2017, Senator Warren led a letter to White House Counsel Don McGahn about the role Mr. Icahn was playing in President Trump's White House, how he was involved in the selection of Scott Pruitt to be the

nominee for EPA Administrator, and to what extent Icahn influenced RFS policy. They also asked the EPA for information about Mr. Icahn's role in determining the fate of the RFS. In May of 2017, they called on the heads of the Commodities Futures Trading Commission (CFTC), the Securities and Exchange Commission (SEC), and the EPA to investigate the activities of Mr. Icahn for potential insider trading, market manipulation, and other securities and commodities law violations in the market for renewable fuel credits. Mr. Icahn's company disclosed in its November 2017 public SEC filings that DOJ had opened an investigation of Mr. Icahn's activities in the RFS market.

###

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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/28/2018 12:02:29 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: WZZM, ABC-13, Grand Rapids, MI (S. Grove) - dust lead standards - ASAP

gtg

---

**From:** Daguillard, Robert  
**Sent:** Thursday, June 28, 2018 7:35 AM  
**To:** Press <Press@epa.gov>  
**Subject:** RE: For Review: WZZM, ABC-13, Grand Rapids, MI (S. Grove) - dust lead standards - ASAP

Good morning,

OK to send?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, June 27, 2018 4:54 PM  
**To:** Press <Press@epa.gov>  
**Subject:** RE: For Review: WZZM, ABC-13, Grand Rapids, MI (S. Grove) - dust lead standards - ASAP

Program now asking for the following change:

1. Can you put that amount in perspective?

**EPA response:** **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, June 27, 2018 4:53 PM

To: Press <[Press@epa.gov](mailto:Press@epa.gov)>

Subject: For Review: WZZM, ABC-13, Grand Rapids, MI (S. Grove) - dust lead standards - ASAP

SUMMARY: The reporter is filing a story for her 5-6 PM newscasts today. She says this report is part of a series her station is doing on lead and human health. She also says Grand Rapids is, in her words, “one of the words zip codes in the country” for lead paint dust. Shanna Grove – ABC 13 – [shanna.grove@wzzm13.com](mailto:shanna.grove@wzzm13.com)

OK to send for attribution?

Can you please explain the EPA’s proposal to tighten the standard for lead dust from paint?

## Ex. 5 Deliberative Process (DP)

1. Can you put that amount in perspective?

EPA response:

Ex. 5 Deliberative Process (DP)

2. Where are these standards most applicable?

EPA response:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

3. Why is this an important step/what does the EPA hope to accomplish?

EPA response:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

4. Can you please explain the process of this proposal and what the Federal Register is? What are the next steps? Will it go into effect after receiving comments for 45 days?

EPA response:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

5. EPA is proposing to make no change to the definition of lead-based paint because the Agency currently lacks sufficient information to support such a change” – but what change is the EPA potentially looking to make to the definition and what information would it need to support the change?

EPA response:

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Grove, Shanna [<mailto:ShannaGrove@wzzm13.com>]  
**Sent:** Wednesday, June 27, 2018 10:49 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Interview today: Strengthening dust lead standards

Hi there Robert,

I appreciate your help with my story today. Below are the questions.

Thanks so much!  
Shanna Grove

1. Please provide first and last name/title.
2. Can you please explain the EPA's proposal to tighten the standard for lead dust from paint?
  - a. the Agency is proposing to change the dust-lead hazard standards from 40 µg/ft<sup>2</sup> and 250 µg/ft<sup>2</sup> to 10 µg/ft<sup>2</sup> and 100 µg/ft<sup>2</sup> on floors and window sills, respectively.
1. Can you put that amount in perspective?
2. Where are these standards most applicable?
3. Why is this an important step/what does the EPA hope to accomplish?
4. Can you please explain the process of this proposal and what the Federal Register is? What are the next steps? Will it go into effect after receiving comments for 45 days?

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, June 27, 2018 10:31 AM  
**To:** Grove, Shanna <[ShannaGrove@wzzm13.com](mailto:ShannaGrove@wzzm13.com)>  
**Cc:** Kelley, Jeff <[kelly.jeff@epa.gov](mailto:kelly.jeff@epa.gov)>; Rowan, Anne <[rowan.anne@epa.gov](mailto:rowan.anne@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** RE: Interview today: Strengthening dust lead standards

\*External Email – Be Suspicious of Attachments, Links and Requests for Login Information\*

Hullo Shanna,

Thanks for reaching out. I was on the phone when you called. Let me call you back in a minute or so, if OK.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Grove, Shanna [mailto:ShannaGrove@wzzm13.com]

**Sent:** Wednesday, June 27, 2018 10:26 AM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Interview today: Strengthening dust lead standards

Hi there Robert,

I am working on a story today about the EPA Strengthening the Dust-Lead Hazard Standards. I would appreciate the chance to do a quick interview with you via skype or over the phone.

My cell number is: [Ex. 6 Personal Privacy (PP)]

Thanks so much!

SHANNA GROVE

Multi-Skilled Journalist



A **TEGNA** Company

645 3 Mile NW, Grand Rapids, MI 49544

ShannaGrove@wzzm13.com [Ex. 6 Personal Privacy (PP)] | wzzm13.com | @ShannaMGrove

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 7/23/2018 3:26:39 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Media query -- methylene chloride

## Ex. 5 Deliberative Process (DP)

---

**From:** Hopkins, Jamie [mailto:jhopkins@publicintegrity.org]  
**Sent:** Monday, July 23, 2018 11:26 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Media query -- methylene chloride

OK, thank you, but you're unable to share any sense of when that rulemaking will be sent to OMB? Will it be this summer? By the end of the year?

---

**From:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Sent:** Monday, July 23, 2018 11:24:56 AM  
**To:** Hopkins, Jamie  
**Cc:** Press  
**Subject:** RE: Media query -- methylene chloride

Hullo again Jamie,

EPA is working to send the finalized methylene chloride rulemaking to OMB. That document will contain actions that the Agency will take, including timeframes. – **EPA Spokesperson.**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Hopkins, Jamie [mailto:jhopkins@publicintegrity.org]  
**Sent:** Monday, July 23, 2018 7:52 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Media query -- methylene chloride

Good morning. Can EPA give an update on where things stand with the methylene chloride rule? The agency said on May 10 that it would send a final version to OMB shortly, but it has yet to show up on that agency's

dashboard of regulatory actions under review (<https://www.reginfo.gov/public/jsp/EO/EODashboard.jsp>). What is the EPA's expected timeline?

Best,

Jamie

---

**From:** Hopkins, Jamie  
**Sent:** Thursday, March 29, 2018 3:18 PM  
**To:** Daguillard, Robert  
**Cc:** Press  
**Subject:** RE: Media query -- methylene chloride

OK, thanks for the speedy response!

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Thursday, March 29, 2018 3:18 PM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Media query -- methylene chloride

Hullo Jamie,

For attribution to “an EPA spokesperson,” please:

We will respond to the letter through appropriate channels.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Hopkins, Jamie [<mailto:jhopkins@publicintegrity.org>]  
**Sent:** Thursday, March 29, 2018 3:00 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Media query -- methylene chloride

Hi, Robert, I'm working on a quick-turnaround piece about South Carolina's senators and one congressman calling on EPA to act on the proposed methylene chloride rule. (I've attached the letter in case you haven't seen it.)

Would the EPA like to comment? My deadline is **today at 4 p.m.**

Can't recall now if I sent you the link to the story we corresponded about earlier – here it is: <https://www.publicintegrity.org/2018/03/26/21626/epa-planned-ban-deadly-paint-stripping-chemical-will-it-follow-through> (and here's the version Slate co-published: <https://slate.com/technology/2018/03/will-the-epa-ban-methylene-chloride.html>)

Best,

Jamie

---

**From:** Hopkins, Jamie  
**Sent:** Thursday, March 22, 2018 9:04 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Media query -- methylene chloride

Good morning, just wanted to make sure you saw these questions from Tuesday:

---

**From:** Hopkins, Jamie  
**Sent:** Tuesday, March 20, 2018 1:26 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Media query -- methylene chloride

Thanks! Could you clarify two things:

- 1) Does the EPA still intend to finalize the current NMP/methylene chloride rule at some point?
- 2) How long does the EPA currently expect the NMP/methylene chloride rule will take to finalize?

Many thanks.

Jamie

---

**From:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Sent:** Tuesday, March 20, 2018 1:21:12 PM  
**To:** Hopkins, Jamie  
**Cc:** Press  
**Subject:** RE: Media query -- methylene chloride

Jamie, for attribution to “an EPA spokesperson,” please:

1. I see that the NMP/methylene chloride rule, which was a “proposed rule” in the spring 2017 regulatory agenda, was changed to a “Long-term Action” in the most recent regulatory agenda. Does this mean the proposal has been shelved?

**Response:** The Regulatory Plan of the Unified Agenda contains the regulatory priority actions that agencies expect to take in the coming year. The status changed because the Agency felt that more time was needed to consider how best to analyze and address any risks from these chemicals. Given that these actions were not anticipated to finalize within 12 months, they were removed from the Unified Agenda. The agency is currently considering the comments received in response to the proposal.

2. Methylene chloride is one of the 10 chemicals on the list for the first risk evaluations under the revised TSCA law. I’m not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete”

**Response:** We plan to finalize the risk evaluations by late 2019. If at the end of the risk evaluation process, EPA determines that a chemical presents an unreasonable risk to health or the environment, the chemical must immediately move to risk management action under TSCA. [Read more.](#)

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Hopkins, Jamie [<mailto:jhopkins@publicintegrity.org>]  
**Sent:** Friday, March 16, 2018 10:46 AM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** RE: Media query -- methylene chloride

Couple things I should add to the question pile:

1. I see that the NMP/methylene chloride rule, which was a “proposed rule” in the spring 2017 regulatory agenda, was changed to a “Long-term Action” in the most recent regulatory agenda. Does this mean the proposal has been shelved?

2. Methylene chloride is one of the 10 chemicals on the list for the first risk evaluations under the revised TSCA law. I’m not sure if I quite understand the timeline requirements – could you explain when the risk evaluation



for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete?

Thank you!

Jamie

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Friday, March 16, 2018 10:36 AM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Subject:** Re: Media query -- methylene chloride

Kewl. Thanks.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Mar 16, 2018, at 10:31 AM, Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)> wrote:

Yup, my deadline is Monday at 3 p.m.

Thanks!

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Friday, March 16, 2018 10:30 AM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Subject:** Re: Media query -- methylene chloride

Hey Jamie, I'm afraid you're right. My bad.

Deadline? Are you writing for publication soon?

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Mar 16, 2018, at 10:24 AM, Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)> wrote:

Hi, I'm re-upping this request because it probably got lost in the shuffle earlier this week:

---

**From:** Hopkins, Jamie

**Sent:** Wednesday, March 14, 2018 10:53 AM

**To:** 'daguillard.robert@epa.gov' <daguillard.robert@epa.gov>

**Subject:** Media query -- methylene chloride

Hi, hope you're well. Could you update me on the status and expected timeline of the proposed TSCA rulemaking for methylene chloride and NMP? Also, has there been action on this proposal since the extension of the comment deadline last April?

Many thanks.

Best,

Jamie

---

Jamie Smith Hopkins  
Reporter  
The Center for Public Integrity  
910 17th Street NW, 7th Floor  
Washington, DC 20006  
Office: 202-481-1231  
Follow me @jsmithhopkins  
Read our journalism at [www.publicintegrity.org](http://www.publicintegrity.org)

**To:** Daguillard, Robert[Daguillard.Robert@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Mon 7/23/2018 3:23:56 PM (UTC)  
**Subject:** RE: FOR REVIEW: Center for Public Integrity - methylene chloride

Ok

---

**From:** Daguillard, Robert  
**Sent:** Monday, July 23, 2018 11:23 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Center for Public Integrity - methylene chloride

From the program: Erik B. has reviewed, as Nancy B. is out today. OK to send?

# Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

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**Sent:** Monday, July 23, 2018 7:52 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Media query -- methylene chloride

Good morning. Can EPA give an update on where things stand with the methylene chloride rule? The agency said on May 10 that it would send a final version to OMB shortly, but it has yet to show up on that agency's dashboard of regulatory actions under review (<https://www.reginfo.gov/public/jsp/EO/eoDashboard.jsp>). What is the EPA's expected timeline?

Best,

Jamie

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**To:** Daguillard, Robert  
**Cc:** Press  
**Subject:** RE: Media query -- methylene chloride

OK, thanks for the speedy response!

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**To:** Hopkins, Jamie <jhopkins@publicintegrity.org>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Media query -- methylene chloride

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We will respond to the letter through appropriate channels.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

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**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Media query -- methylene chloride

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<https://www.publicintegrity.org/2018/03/26/21626/epa-planned-ban-deadly-paint-stripping-chemical-will-it-follow-through> (and here’s the version Slate co-published: <https://slate.com/technology/2018/03/will-the-epa-ban-methylene-chloride.html>)

Best,

Jamie

---

**From:** Hopkins, Jamie  
**Sent:** Thursday, March 22, 2018 9:04 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Media query -- methylene chloride

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**From:** Hopkins, Jamie  
**Sent:** Tuesday, March 20, 2018 1:26 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>

**Subject:** Re: Media query -- methylene chloride

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Many thanks.

Jamie

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Tuesday, March 20, 2018 1:21:12 PM  
**To:** Hopkins, Jamie  
**Cc:** Press  
**Subject:** RE: Media query -- methylene chloride

Jamie, for attribution to “an EPA spokesperson,” please:

1. I see that the NMP/methylene chloride rule, which was a “proposed rule” in the spring 2017 regulatory agenda, was changed to a “Long-term Action” in the most recent regulatory agenda. Does this mean the proposal has been shelved?

**Response:** The Regulatory Plan of the Unified Agenda contains the regulatory priority actions that agencies expect to take in the coming year. The status changed because the Agency felt that more time was needed to consider how best to analyze and address any risks from these chemicals. Given that these actions were not anticipated to finalize within 12 months, they were removed from the Unified Agenda. The agency is currently considering the comments received in response to the proposal.

2. Methylene chloride is one of the 10 chemicals on the list for the first risk evaluations under the revised TSCA law. I’m not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete”

**Response:** We plan to finalize the risk evaluations by late 2019. If at the end of the risk evaluation process, EPA determines that a chemical presents an unreasonable risk to health or the environment, the chemical must immediately move to risk management action under TSCA. [Read more.](#)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Hopkins, Jamie [<mailto:jhopkins@publicintegrity.org>]

**Sent:** Friday, March 16, 2018 10:46 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Media query -- methylene chloride

Couple things I should add to the question pile:

1. I see that the NMP/methylene chloride rule, which was a “proposed rule” in the spring 2017 regulatory agenda, was changed to a “Long-term Action” in the most recent regulatory agenda. Does this mean the proposal has been shelved?
2. Methylene chloride is one of the [10 chemicals](#) on the list for the first risk evaluations under the revised TSCA law. I’m not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete?

Thank you!

Jamie

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Friday, March 16, 2018 10:36 AM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Subject:** Re: Media query -- methylene chloride

Kewl. Thanks.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Mar 16, 2018, at 10:31 AM, Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)> wrote:

Yup, my deadline is Monday at 3 p.m.

Thanks!

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Friday, March 16, 2018 10:30 AM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Subject:** Re: Media query -- methylene chloride

Hey Jamie, I’m afraid you’re right. My bad.

Deadline? Are you writing for publication soon?

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)

On Mar 16, 2018, at 10:24 AM, Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)> wrote:

Hi, I'm re-upping this request because it probably got lost in the shuffle earlier this week:

---

**From:** Hopkins, Jamie

**Sent:** Wednesday, March 14, 2018 10:53 AM

**To:** 'daguillard.robert@epa.gov' <[daguillard.robert@epa.gov](mailto:daguillard.robert@epa.gov)>

**Subject:** Media query -- methylene chloride

Hi, hope you're well. Could you update me on the status and expected timeline of the proposed TSCA rulemaking for methylene chloride and NMP? Also, has there been action on this proposal since the extension of the comment deadline last April?

Many thanks.

Best,

Jamie

-----  
Jamie Smith Hopkins

Reporter

The Center for Public Integrity

910 17th Street NW, 7th Floor

Washington, DC 20006

Office: 202-481-1231

Follow me @jsmithhopkins

Read our journalism at [www.publicintegrity.org](http://www.publicintegrity.org)

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/18/2018 1:37:02 PM  
**To:** Schwab, Justin [schwab.justin@epa.gov]  
**CC:** Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Dominguez, Alexander [dominguez.alexander@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]  
**Subject:** RE: Reuters

That’s fine with me. **Ex. 5 Deliberative Process (DP)**

**From:** Schwab, Justin  
**Sent:** Monday, June 18, 2018 9:35 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>  
**Subject:** Re: Reuters

My advice is that **Ex. 5 Attorney Client (AC)**

**Ex. 5 Attorney Client (AC)**

Sent from my iPhone

On Jun 18, 2018, at 9:25 AM, Block, Molly <block.molly@epa.gov> wrote:

How do we want to respond?

We’ve used this in the past: **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Additional background (not for attribution):

∞

∞

∞

∞

**Ex. 5 Deliberative Process (DP)**

∞



## Ex. 5 Deliberative Process (DP)

**From:** Renshaw, Jarrett (Reuters) [mailto:jarrett.renshaw@thomsonreuters.com]  
**Sent:** Monday, June 18, 2018 9:03 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Reuters

Hello, this is Jarrett Renshaw, an energy reporter at Reuters. We are writing a story regarding the EPA's handling of the small refinery waiver program under the U.S. Renewable Fuel Standard. The story could run as early as late afternoon today, but likely tomorrow morning.

Based on sources, we are reporting that the EPA has ignored recommendations from the Department of Energy to award partial waivers from the RFS. This is a break from tradition, where the EPA has largely taken the DOE's advice. We are citing court records where the EPA considers the DOE a primary factor in their decision making.

We are also reporting that Administrator Pruitt was the one who decided to expand the program beyond the DOE recommendations, in part because of his efforts to help refiners who have asked for regulatory relief.

We are reporting that Andeavor was one of the companies who get the extra relief.

Why is the EPA breaking from tradition and ignoring the DOE.

How do you explain Mr. Pruitt's role in the decisions?

Any other comments.

Jarrett Renshaw  
National Energy Markets Reporter  
Reuters  
jarrett.renshaw@thomsonreuters.com  
Office: (646) 223-6193  
Cell: [ Ex. 6 Personal Privacy (PP) ]  
Twitter: @jarrettrenewshaw  
IM: jrenshaw\_reuters08

**To:** Schwab, Justin[schwab.justin@epa.gov]  
**Cc:** Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Dominguez, Alexander[dominguez.alexander@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Mon 6/18/2018 1:28:29 PM (UTC)  
**Subject:** RE: Reuters

Sounds good to me. Let me know what works in your schedule Mandy and Justin.

---

**From:** Schwab, Justin  
**Sent:** Monday, June 18, 2018 9:27 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>  
**Subject:** Re: Reuters

We should all discuss this together today.

Sent from my iPhone  
On Jun 18, 2018, at 9:26 AM, Block, Molly <block.molly@epa.gov> wrote:

And one more follow up from the reporter: Also, one more thing: Mr. Pruitt said this last week: “Every exemption we’ve granted is in line with the Dept of Energy.”

That is not accurate. How does Mr. Pruitt defend those remarks?

Jarrett Renshaw  
National Energy Markets Reporter  
Reuters  
[jarrett.renshaw@thomsonreuters.com](mailto:jarrett.renshaw@thomsonreuters.com)  
Office: (646) 223-6193  
Cell: Ex. 6 Personal Privacy (PP)  
Twitter: [@jarrettrenew](https://twitter.com/jarrettrenew)  
IM: jrenshaw\_reuters08

---

**From:** Block, Molly  
**Sent:** Monday, June 18, 2018 9:26 AM  
**To:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>  
**Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>  
**Subject:** FW: Reuters

How do we want to respond?

We’ve used this in the past: Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Additional background (not for attribution):

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

---

**From:** Renshaw, Jarrett (Reuters) [<mailto:jarrett.renshaw@thomsonreuters.com>]

**Sent:** Monday, June 18, 2018 9:03 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Reuters

Hello, this is Jarrett Renshaw, an energy reporter at Reuters. We are writing a story regarding the EPA's handling of the small refinery waiver program under the U.S. Renewable Fuel Standard. The story could run as early as late afternoon today, but likely tomorrow morning.

Based on sources, we are reporting that the EPA has ignored recommendations from the Department of Energy to award partial waivers from the RFS. This is a break from tradition, where the EPA has largely taken the DOE's advice. We are citing court records where the EPA considers the DOE a primary factor in their decision making.

We are also reporting that Administrator Pruitt was the one who decided to expand the program beyond the DOE recommendations, in part because of his efforts to help refiners who have asked for regulatory relief.

We are reporting that Andeavor was one of the companies who get the extra relief.

Why is the EPA breaking from tradition and ignoring the DOE.

How do you explain Mr. Pruitt's role in the decisions?

Any other comments.

Jarrett Renshaw  
National Energy Markets Reporter  
Reuters  
[jarrett.renshaw@thomsonreuters.com](mailto:jarrett.renshaw@thomsonreuters.com)  
Office: (646) 223-6193  
Cell: Ex. 6 Personal Privacy (PP)  
Twitter: [@jarrettrenew](https://twitter.com/jarrettrenew)  
IM: jrenshaw\_reuters08

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/1/2018 1:33:53 PM  
**To:** Daguiillard, Robert [Daguiillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: SP Global (M. Gordon) - Small refinery waivers - 5/1

Slightly edited:

|                                 |                                        |
|---------------------------------|----------------------------------------|
| <b>On Background:</b>           | <b>Ex. 5 Deliberative Process (DP)</b> |
| Ex. 5 Deliberative Process (DP) |                                        |

---

**From:** Daguiillard, Robert  
**Sent:** Tuesday, May 1, 2018 9:29 AM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: SP Global (M. Gordon) - Small refinery waivers - 5/1

From the program:

|                                        |
|----------------------------------------|
| <b>Ex. 5 Deliberative Process (DP)</b> |
|----------------------------------------|

Please advise.

Cheers, R.

Robert Daguiillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Monday, April 30, 2018 5:13 PM  
**To:** Daguiillard, Robert <Daguiillard.Robert@epa.gov>; Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Small refinery waivers

Thanks again for your help on this issue.

Are the numbers below still current? Is CVR one of the 25 plants that received a waiver?

Thanks,  
Meghan

---

**From:** Daguiillard, Robert [mailto:Daguiillard.Robert@epa.gov]  
**Sent:** Tuesday, April 24, 2018 1:31 PM  
**To:** Block, Molly; Gordon, Meghan; Press  
**Subject:** RE: Small refinery waivers

Also, Meghan, and on background, please:

A slight update. For 2017 we have now received 30 petitions, but have not approved any more beyond the 25 already noted.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

From: Block, Molly  
Sent: Tuesday, April 24, 2018 1:11 PM  
To: Gordon, Meghan <meghan.gordon@spglobal.com>; Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
Subject: RE: Small refinery waivers

Meghan –

Still checking on the numbers, but in the meantime:

“There is not consensus on the regulatory path forward on the E15 RVP waiver and related issues.”

On the waivers:

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete.” **Liz Bowman, EPA spokesperson**

Additional background (not for attribution):

- ∞ As requests for waivers are based on CBI, EPA cannot share company-specific information.
- ∞ Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- ∞ When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to “disproportionate economic hardship.”
- ∞ During the Obama Administration, there was often disagreement by EPA with DOE’s recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- ∞ On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency’s viability analysis employed by the previous administration to be inconsistent with congress’s intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA’s requirement that refineries demonstrate an “existential threat” to their long-term viability as the standard for demonstrating “disproportionate economic hardship” inconsistent with EPA’s

statutory authority and vacated a previously denied hardship exemption and remanded Sinclair’s hardship petitions back to EPA for further consideration.

∞ In 2016, EPA received 20 petitions and granted 19 based on DOE’s recommendation.

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Tuesday, April 24, 2018 11:45 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Small refinery waivers

Hi Robert and press team,

How many 2017 small refinery waivers has EPA granted? Checking for any updates to the previous figures of 25 granted out of 29 petitions received.

Ahead of Administrator Pruitt’s testimony later this week, can you share why the agency considers these waivers as important and justified under the RFS? Just looking for some more color for a curtain raiser.

Many thanks,  
Meghan

Meghan Gordon  
S&P Global Platts  
(202) 383-2001 office  

Ex. 6 Personal Privacy (PP) cell

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Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/22/2018 3:51:25 PM  
**To:** regionalpress [regionalpress@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]  
**Subject:** RE: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release  
**Attachments:** Am Cy Superfund Site Proposed Plan Release OPA.docx

Edited attached. Thanks!

---

**From:** Block, Molly  
**Sent:** Monday, May 21, 2018 3:43 PM  
**To:** regionalpress <regionalpress@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>  
**Subject:** RE: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Adding Chris Beach too look at the quote.

---

**From:** regionalpress  
**Sent:** Monday, May 21, 2018 3:42 PM  
**To:** Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** FW: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release  
**Importance:** High

---

**From:** Kluesner, Dave  
**Sent:** Monday, May 21, 2018 7:41:51 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** regionalpress  
**Cc:** Mears, Mary; Rodriguez, Elias  
**Subject:** FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

[PETE APPROVED]

Attached news release for **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

NOTE: Proposed Administrator quote.

Also attached is the Comms Strategy.

Please let me know if you have any questions. thanks

David W. Kluesner



U.S. Environmental Protection Agency, Region 2  
Deputy Director, Public Affairs  
290 Broadway, 26<sup>th</sup> Floor  
New York, NY 10007  
212.637.3653 (Office)  

Ex. 6 Personal Privacy (PP)

 Cell)



**To:** Jones, Enesta[Jones.Enesta@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Mon 4/9/2018 3:43:18 PM (UTC)  
**Subject:** RE: For Review: E&E (Sean Reilly) re Signing of final rule for Primary NOx standard (Deadline: 4/9)

Just added in one thing below.

**From:** Jones, Enesta  
**Sent:** Monday, April 9, 2018 11:28 AM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: E&E (Sean Reilly) re Signing of final rule for Primary NOx standard (Deadline: 4/9)

**Suggested Response: On background (not for attribution):** **Ex. 5 Deliberative Process (DP)**

**From:** Sean Reilly <sreilly@eenews.net>  
**Date:** April 9, 2018 at 11:19:49 AM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** Signing of final rule for Primary NOx standard

Hi folks:

According to this FR notice (<https://www.gpo.gov/fdsys/pkg/FR-2017-07-26/pdf/2017-15591.pdf>), the final rule was supposed to be signed by Friday, April 6. I'm not seeing it, however, on the NOx NAAQS web page (<https://www.epa.gov/no2-pollution/primary-national-ambient-air-quality-standards-naaqs-nitrogen-dioxide>.) Can you let me know ASAP whether the final rule was signed, and if so, forward a copy? If it hasn't been signed, what's the reason for that and is there an ETA for doing so?

Thanks,  
Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP)

 Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

**E&E NEWS**  
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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/9/2018 1:52:31 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Small refiner waivers

On background (not for attribution):

**Ex. 5 Deliberative Process (DP)**

---

**From:** Daguillard, Robert  
**Sent:** Monday, April 9, 2018 9:10 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Small refiner waivers

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]  
**Sent:** Monday, April 09, 2018 8:58 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Small refiner waivers

Good morning, Robert,

I'm confused by the answer. I'm not asking for capacity, but

- The number of recipients of 2016 waivers and
- The total volume of RINs associated with the 2017 waivers so far. EPA regularly discloses that volume as part of an adjustment to the estimated size of the available RIN bank for a given compliance year.

My apologies if the inquiry was unclear. I can be reached at 713-429-6350 to discuss the questions if that would be helpful.

Thanks again for your assistance,

Elliott

**Elliott Blackburn**  
*Downstream Reporter*

[www.argusmedia.com](http://www.argusmedia.com)  
Direct: +1 713 429 6350  
Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/people/elliott.blackburn@argusmedia.com)  
Signal: **Ex. 6 Personal Privacy (PP)**



[www.argusmedia.com](http://www.argusmedia.com)

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Argus Media Inc., 2929 Allen Parkway, Suite 700, Houston, Texas 77019, USA

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STAY CONNECTED:



---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Monday, April 9, 2018 7:53 AM  
**To:** Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Small refiner waivers

Notice: external email – please use caution.

---

Good morning Elliott,

On background (not for attribution): We do not have specifics on overall refining capacity.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]  
**Sent:** Friday, April 06, 2018 12:12 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** FW: Small refiner waivers

Good afternoon, Robert,

Following up on this end of the inquiry, seeking to double check the number of small refinery waiver recipients for the 2016 compliance year and the associated volume of RINs. Can EPA also provide the volume of RINs so far associated with the hardship waivers for the 2017 compliance year, and whether there have been any additional applications or recipients since Tuesday?

Thank you,

Elliott

Elliott Blackburn  
Downstream Reporter

[www.argusmedia.com](http://www.argusmedia.com)  
Direct: +1 713 429 6350  
Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/people/elliott.blackburn@argusmedia.com)  
Signal:  Ex. 6 Personal Privacy (PP)



[www.argusmedia.com](http://www.argusmedia.com)

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Argus Media Inc., 2929 Allen Parkway, Suite 700, Houston, Texas 77019, USA

illuminating the markets

STAY CONNECTED:



---

**From:** Elliott Blackburn  
**Sent:** Wednesday, April 4, 2018 8:31 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Small refiner waivers

You're correct, sorry for the time skip. I am double checking the waivers for 2016.

**Elliott Blackburn**  
*Downstream Reporter*

[www.argusmedia.com](http://www.argusmedia.com)  
Direct: +1 713 429 6350  
Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/people/elliott.blackburn@argusmedia.com)  
Signal:  Ex. 6 Personal Privacy (PP)



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Argus Media Inc., 2929 Allen Parkway, Suite 700, Houston, Texas 77019, USA

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STAY CONNECTED:



---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, April 4, 2018 8:29 AM  
**To:** Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)>  
**Subject:** RE: Small refiner waivers

Notice: external email – please use caution.

---

Elliott, sorry: By "last year," you mean 2016, correct?

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]  
**Sent:** Wednesday, April 04, 2018 9:23 AM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** RE: Small refiner waivers

Robert, one last thing to double check – I have that 12 exemptions were given last year (for 515mn RINs, per the NPRM and final rule). Can you confirm at least the number of exemptions?

**Elliott Blackburn**  
*Downstream Reporter*

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---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]  
**Sent:** Wednesday, April 4, 2018 8:07 AM  
**To:** Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)>  
**Subject:** RE: Small refiner waivers

**Notice:** external email – please use caution.

---

Correct.

Cheers, R.

Robert Daguiard

Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]  
**Sent:** Wednesday, April 04, 2018 9:06 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Small refiner waivers

Thanks very much. To clarify, when you say on background, you mean attributable to the agency but not to you?

Elliott Blackburn  
Downstream Reporter

[www.argusmedia.com](http://www.argusmedia.com)  
Direct: +1 713 429 6350  
Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
Signal: **Ex. 6 Personal Privacy (PP)**



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---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, April 4, 2018 7:58 AM  
**To:** Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** FW: Small refiner waivers

**Notice:** external email – please use caution.

---

Good morning Elliott. On background, please:

“For the 2017 compliance year, we have received 29 petitions from small refineries. To date, we have granted exemptions for 25 of those.”

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]

**Sent:** Tuesday, April 03, 2018 2:24 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Small refiner waivers

Good afternoon,

- How many RINs associated with small refinery exemptions to the RFS has the EPA awarded so far for the 2017 compliance year? The agency last year said it had granted waivers representing 390mn overall RINs for 2016.
- How many applications for small refinery exemptions to the RFS has the EPA received for the 2017 compliance year?
- How many applications for small refinery exemptions to the RFS for 2017 has the EPA rejected so far?
- When will EPA complete its process for determining small refinery exemptions under the RFS for the 2017 compliance year?

Thank you,

Elliott

**Elliott Blackburn**

*Downstream Reporter*

[www.argusmedia.com](http://www.argusmedia.com)

Direct: +1 713 429 6350

Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)

ICE: eblackburn

Skype ID: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)

Signal: Ex. 6 Personal Privacy (PP)



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**To:** David LaRoss[dlaross@iwpnews.com]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Thur 4/12/2018 3:13:23 PM (UTC)  
**Subject:** RE: WOTUS recodification - OMB review

"From day one, EPA and the Department of the Army have been committed to providing certainty and clarity to our state and tribal co-regulators and farmers, ranchers and other stakeholders across the country. During the public comment period, EPA and the Army heard from hundreds of thousands of stakeholders about the agencies' proposed plans to repeal the 2015 definition of "waters of the United States" and put the long-standing definition back in place. After reviewing this input, EPA and the Army have decided to issue a supplemental proposal to provide the public with additional clarity on the scope of the agencies' efforts. Being responsive to feedback from the public is exactly how an open and transparent rule development process is designed to work. The agencies look forward to hearing additional input from the public on this supplemental proposal after the interagency review process is complete." – EPA Spokesperson

For more information: [www.epa.gov/wotus-rule](http://www.epa.gov/wotus-rule)

### Background

The EPA and the Department of the Army are working through a two-step process to consider revisions to the definition of "waters of the United States," consistent with the President's February 2017 Executive Order. The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution.

---

**From:** David LaRoss [mailto:dlaross@iwpnews.com]  
**Sent:** Thursday, April 12, 2018 11:12 AM  
**To:** Press <Press@epa.gov>  
**Subject:** WOTUS recodification - OMB review

The White House Office of Management & Budget has a notice on its website that it received the WOTUS recodification rule for review yesterday. This rule has already been proposed, and the Unified Agenda targets April for the final rule. However, the OMB notice says that the rulemaking stage is "proposed rule" rather than final.

**Purely as a matter of fact-checking**, and not for attribution, can EPA confirm that what went to OMB is the final rule?

Deadline is ASAP.

--

David LaRoss  
Inside EPA  
(703) 416-8536

**To:** Daguillard, Robert[Daguillard.Robert@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Mon 4/9/2018 12:51:53 PM (UTC)  
**Subject:** RE: Small refiner waivers

Please send him this:

**On background** (not for attribution): **Ex. 5 Deliberative Process (DP)**

**From:** Daguillard, Robert  
**Sent:** Monday, April 9, 2018 8:51 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Small refiner waivers

Follow-up from this reporter. The following is what we sent him on Wednesday:

“For the 2017 compliance year, we have received 29 petitions from small refineries. To date, we have granted exemptions for 25 of those.”

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

**From:** Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]  
**Sent:** Friday, April 06, 2018 12:12 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** FW: Small refiner waivers

Good afternoon, Robert,

Following up on this end of the inquiry, seeking to double check the number of small refinery waiver recipients for the 2016 compliance year and the associated volume of RINs. Can EPA also provide the volume of RINs so far associated with the hardship waivers for the 2017 compliance year, and whether there have been any additional applications or recipients since Tuesday?

Thank you,

Elliott

**Elliott Blackburn**  
*Downstream Reporter*

[www.argusmedia.com](http://www.argusmedia.com)  
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Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
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Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/people/elliott.blackburn@argusmedia.com)  
**Signal:** **Ex. 6 Personal Privacy (PP)**



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STAY CONNECTED:



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**From:** Elliott Blackburn  
**Sent:** Wednesday, April 4, 2018 8:31 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Small refiner waivers

You're correct, sorry for the time skip. I am double checking the waivers for 2016.

**Elliott Blackburn**  
*Downstream Reporter*

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ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/people/elliott.blackburn@argusmedia.com)  
Signal: Ex. 6 Personal Privacy (PP)



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**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, April 4, 2018 8:29 AM  
**To:** Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)>  
**Subject:** RE: Small refiner waivers

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Elliott, sorry: By “last year,” you mean 2016, correct?

Cheers, R.

Robert Daguillard  
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Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]  
**Sent:** Wednesday, April 04, 2018 9:23 AM

**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>

**Subject:** RE: Small refiner waivers

Robert, one last thing to double check – I have that 12 exemptions were given last year (for 515mn RINs, per the NPRM and final rule). Can you confirm at least the number of exemptions?

**Elliott Blackburn**  
Downstream Reporter

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Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)

ICE: eblackburn

Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/people/elliott.blackburn@argusmedia.com)

Signal: Ex. 6 Personal Privacy (PP)



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**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]

**Sent:** Wednesday, April 4, 2018 8:07 AM

**To:** Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)>

**Subject:** RE: Small refiner waivers

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Correct.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
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**Sent:** Wednesday, April 04, 2018 9:06 AM

**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>

**Subject:** RE: Small refiner waivers

Thanks very much. To clarify, when you say on background, you mean attributable to the agency but not to you?

**Elliott Blackburn**  
Downstream Reporter

[www.argusmedia.com](http://www.argusmedia.com)

Direct: +1 713 429 6350

Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)

ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
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STAY CONNECTED:    

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**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, April 4, 2018 7:58 AM  
**To:** Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** FW: Small refiner waivers

Notice: external email – please use caution.

Good morning Elliott. On background, please:

“For the 2017 compliance year, we have received 29 petitions from small refineries. To date, we have granted exemptions for 25 of those.”

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]  
**Sent:** Tuesday, April 03, 2018 2:24 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Small refiner waivers

Good afternoon,

- How many RINs associated with small refinery exemptions to the RFS has the EPA awarded so far for the 2017 compliance year? The agency last year said it had granted waivers representing 390mn overall RINs for 2016.
- How many applications for small refinery exemptions to the RFS has the EPA received for the 2017 compliance year?
- How many applications for small refinery exemptions to the RFS for 2017 has the EPA rejected so far?
- When will EPA complete its process for determining small refinery exemptions under the RFS for the 2017 compliance year?

Thank you,

Elliott

**Elliott Blackburn**  
*Downstream Reporter*

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Direct: +1 713 429 6350  
Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/people/elliott.blackburn@argusmedia.com)  
Signal: Ex. 6 Personal Privacy (PP)



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**To:** Daguillard, Robert[Daguillard.Robert@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Wed 4/11/2018 8:29:48 PM (UTC)  
**Subject:** RE: For Review: Bloomberg Environment (S. Carignan) - National Academies' IRIS report - 4/11

Updated below. Please send that response to other inquiries on this. Thank you!

**From:** Daguillard, Robert  
**Sent:** Wednesday, April 11, 2018 12:01 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Bloomberg Environment (S. Carignan) - National Academies' IRIS report - 4/11

SUMMARY

The report is under embargo until its 3 PM release, and the program has not yet received a copy, but program staff got a courtesy briefing this morning. The program has a statement. Sylvia Carignan – Bloomberg Environment - [scarignan@bloombergenvironment.com](mailto:scarignan@bloombergenvironment.com)

RESPONSE

Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Carignan, Sylvia [<mailto:scarignan@bloombergenvironment.com>]  
**Sent:** Wednesday, April 11, 2018 10:40 AM  
**To:** Press <Press@epa.gov>  
**Subject:** National Academies' IRIS report

Hi all,

Hope you're having a good week. I'm taking a look at the National Academies' new report on the IRIS program this morning. Did EPA receive a draft of this report before its publication today? If so, would the agency like to comment on the National Academies' findings?

My deadline is 1 p.m. today.

Best,  
Sylvia

.....

**Sylvia Carignan**  
Reporter, Superfund and Waste

**Bloomberg BNA**  
1801 S Bell St, Arlington VA 22202

Direct 703-341-3708





Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/10/2018 7:58:47 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: E&E (Ben Hulac) re sustainability report (Deadline: 4/11)

Edited below. Thanks!

**From:** Jones, Enesta  
**Sent:** Tuesday, April 10, 2018 3:51 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: E&E (Ben Hulac) re sustainability report (Deadline: 4/11)

**Background:** E&E News reporter is asking about the sustainability report and officer. OARM says 

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

 Benjamin Hulac, [bhulac@eenews.net](mailto:bhulac@eenews.net)

**Suggested Response:**

**On background (not for attribution):**

**Ex. 5 Deliberative Process (DP)**

**From:** Benjamin Hulac <[bhulac@eenews.net](mailto:bhulac@eenews.net)>  
**Date:** April 10, 2018 at 12:30:00 PM EDT  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Questions about your agency, sustainability report

To whom it may concern at EPA,

My name is Ben Hulac, I’m a reporter with E&E News, and I cover climate change and money.

President Obama, through and executive order ([No. 13693](#)), required federal agencies to annually submit what is known as a Strategic Sustainability Performance Plan, or SSPP. It’s described in Section 14 of that EO.

He signed it in March of 2015, and through the end of his presidency, agencies submitted their SSPP’s – which are sprawling and often rather detailed documents describing a slew of climate, energy and waste goals. Here is EPA’s for 2016, for example: [https://www.epa.gov/sites/production/files/2016-09/documents/epa\\_2016\\_strategic\\_sustainability\\_performance\\_plan.pdf](https://www.epa.gov/sites/production/files/2016-09/documents/epa_2016_strategic_sustainability_performance_plan.pdf)

The Trump administration, by my count, has only submitted one SSPP so far. It was from DHS and it came out last summer. That means the federal government is in violation of an executive order issued by the previous administration.

Questions:

1. Has the Environmental Protection Agency issued an SSPP report during the Trump administration?
2. Does the agency have a chief sustainability officer in place?

My deadline is 7 a.m. Eastern time tomorrow morning.

Thank you, sincerely,  
Ben

Benjamin J. Hulac  
E&E News Business Reporter  
[bhulac@eenews.net](mailto:bhulac@eenews.net)  
[202-737-3541](tel:202-737-3541) (office)  

Ex. 6 Personal Privacy (PP)

@benhulac

(cell)

**E&E NEWS**  
122 C Street NW 7th Floor Washington, DC 20001  
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Energywire, Climatewire, Greenwire, E&E Daily

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/5/2018 5:27:00 PM  
**To:** Daguiillard, Robert [Daguiillard.Robert@epa.gov]  
**Subject:** RE: RFS Inquiry

Ok. Please send the highlighted portion on background to Meghan. Thank you!

---

**From:** Daguiillard, Robert  
**Sent:** Thursday, April 5, 2018 1:26 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: RFS Inquiry

This is what we sent Elliott Blackburn (Argus) yesterday:

“For the 2017 compliance year, we have received 29 petitions from small refineries. To date, we have granted exemptions for 25 of those.”

Cheers, R.

Robert Daguiillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) | (M)

---

**From:** Block, Molly  
**Sent:** Thursday, April 05, 2018 1:24 PM  
**To:** Daguiillard, Robert <Daguiillard.Robert@epa.gov>  
**Subject:** RE: RFS Inquiry

Thank you!

---

**From:** Daguiillard, Robert  
**Sent:** Thursday, April 5, 2018 1:24 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: RFS Inquiry

Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguiillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) | (M)

**From:** Block, Molly  
**Sent:** Thursday, April 05, 2018 1:22 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: RFS Inquiry

Have we sent that information out before?

**From:** Daguillard, Robert  
**Sent:** Thursday, April 5, 2018 1:19 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: RFS Inquiry

Correct. I don’t know if she has that info yet, though.

I also get the feeling reporters are mixing numbers for different compliance years up.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Block, Molly  
**Sent:** Thursday, April 05, 2018 1:11 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: RFS Inquiry

I’m confused about her question: Ex. 5 Deliberative Process (DP) correct?

**From:** Daguillard, Robert  
**Sent:** Thursday, April 5, 2018 1:02 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: RFS Inquiry

Third Floor: Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Thursday, April 05, 2018 12:14 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: RFS Inquiry

Thanks. A source is saying 30 additional petitions are being considered. Is that for 2017 compliance then?

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Thursday, April 05, 2018 12:05 PM  
**To:** Gordon, Meghan  
**Cc:** Press  
**Subject:** RE: RFS Inquiry

Meghan, on background, not for attribution, please:

**“We have not received 2018 petitions.”**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Thursday, April 05, 2018 11:48 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: RFS Inquiry

Thanks, Robert. We publish to a real-time newswire, so the deadline is always asap.

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Thursday, April 05, 2018 11:47 AM  
**To:** Gordon, Meghan  
**Subject:** RE: RFS Inquiry

Good morning Meghan,

I imagine you’re writing a story today? What’s your deadline, please?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Thursday, April 05, 2018 11:43 AM

**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: RFS Inquiry

Can you say how many small refinery waiver applications you’ve received for 2018 compliance?

---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]  
**Sent:** Wednesday, April 04, 2018 7:29 PM  
**To:** Gordon, Meghan  
**Cc:** Press; Daguillard, Robert  
**Subject:** Re: RFS Inquiry

For the 2017 compliance year

Sent from my iPhone

On Apr 4, 2018, at 7:20 PM, Gordon, Meghan <[meghan.gordon@spglobal.com](mailto:meghan.gordon@spglobal.com)> wrote:

Thanks again, Molly. I asked this to Liz but didn’t hear back: Are the 25 waivers all for 2017?

---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]  
**Sent:** Wednesday, April 04, 2018 12:09 PM  
**To:** Gordon, Meghan  
**Cc:** Press; Daguillard, Robert  
**Subject:** RE: RFS Inquiry

You can attribute it to the Agency.

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Wednesday, April 4, 2018 12:05 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: RFS Inquiry

Thanks, Molly. When you say “on background,” can I attribute this to EPA? I don’t need to use your name, but I do need to say that the information came from an official source.

---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]  
**Sent:** Wednesday, April 04, 2018 12:04 PM  
**To:** Gordon, Meghan  
**Cc:** Press; Daguillard, Robert  
**Subject:** RFS Inquiry

Meghan –

**On background** (not for attribution): DOE’s analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far.

Best,  
Molly

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Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/5/2018 5:12:41 PM  
**To:** dmacy@opisnet.com  
**CC:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Question re hardship exemptions under RFS

Dan –

Here's the same information I sent to your colleagues Jeffrey Barber and Edgar Ang:

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman**

**On background** (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

---

**From:** Daguillard, Robert  
**Sent:** Thursday, April 5, 2018 1:01 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Question re hardship exemptions under RFS

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Macy, Daniel [mailto:dmacy@opisnet.com]  
**Sent:** Thursday, April 05, 2018 12:47 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Question re hardship exemptions under RFS

Hi Robert,

I am writing about recent exemptions granted by EPA to refineries. This morning the Renewable Fuels Association announced that it filed a FOIA request with EPA (and DOE) seeking information about the criteria EPA is using to evaluate petitions for economic hardship exemptions for their 2017 volume obligations under the RFS.

In its press release, the RFA said:



<<“EPA’s unbelievable issuance of secret compliance bailouts to refining giants like Andeavor goes far beyond the pale and stomps all over President Trump’s commitment to protect the RFS...” and that “combined with the free pass EPA handed out this week to [PES] and the Agency’s refusal to enforce the 2016 RFS requirements as remanded by the courts, these subversive actions are literally destroying demand for both ethanol and corn.”>>

(See below for full text of release)

Can you comment on the above statement in general? Specifically, is it true that the exemptions were “secret”? Did Andeavor provide evidence that its volume meets the criteria for the exemption, that is, it comes in under the 75,000 b/d threshold?

I am working on a 3:00 deadline today. Please feel free to call me at 202-420-1193 with any questions.

Best regards,  
Dan Macy



Dan Macy  
Markets Editor, Renewables  
9737 Washingtonian Blvd | Suite 200 | Gaithersburg, Maryland 20878  
Cell: [Ex. 6 Personal Privacy (PP)]  
[dmacy@opishet.com](mailto:dmacy@opishet.com)



Press Release

FOR IMMEDIATE RELEASE  
April 5, 2018

## RFA FOIA Request Demands Answers on EPA Small Refiner Bailout

WASHINGTON — The Renewable Fuels Association (RFA) today submitted Freedom of Information Act (FOIA) requests to both the U.S. Environmental Protection Agency (EPA) and Department of Energy in pursuit of more information and transparency regarding the recent issuance of Renewable Fuel Standard (RFS) compliance exemptions to dozens of oil refineries.

The FOIA request follows a January [letter](#) to EPA in which RFA asked for data and documents regarding small refiner exemptions and called for more openness and transparency in the Agency's process to consider exemption requests. EPA never responded to the January letter.

"Several media reports over the past week have confirmed the fears we voiced in January about EPA's expansive and abusive administration of the small refiner exemption provision," said RFA President and CEO Bob Dinneen. "One [article](#) even quoted a refining executive as saying EPA is '...handing out those exemptions is like trick or treat candy.' EPA's unbelievable issuance of secret compliance bailouts to refining giants like [Andeavor](#) goes far beyond the pale and stomps all over President Trump's commitment to protect the RFS and support America's family farmers, whom he called 'the backbone of our nation.' Combined with the free pass EPA handed out this week to Philadelphia Energy Solutions and the Agency's refusal to enforce the 2016 RFS requirements as remanded by the courts, these subversive actions are literally destroying demand for both ethanol and corn."

"EPA's secretive actions are having real impacts on the marketplace. Every new revelation about EPA's latest handout or kickback to refiners serves as yet another gut punch to markets that are already reeling from the impacts of new Chinese tariffs. Make no mistake, EPA's underhanded refinery waivers are negatively affecting the welfare of our nation's ethanol producers and the very livelihood of America's family farms. At the very least, they deserve some answers about EPA's cloak-and-dagger decision-making process on small refiner exemption petitions."

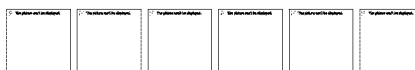
###

#### About the Renewable Fuels Association

The Renewable Fuels Association is the leading trade association for America's ethanol industry. Its mission is to advance the development, production, and use of ethanol fuel by strengthening America's ethanol industry and raising awareness about the benefits of renewable fuels. RFA's members are working to help America become cleaner, safer, more energy independent and economically secure. For more information, visit [EthanolRFA.org](http://EthanolRFA.org).

#### Contact:

Rachel Gantz  
Communications Director  
Renewable Fuels Association  
(202) 289-3835  
[rgantz@ethanolrfa.org](mailto:rgantz@ethanolrfa.org)



[Visit our website](#)

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/5/2018 4:03:47 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RE: RFS Inquiry

Great. Feel free to send that to the reporter on background, not for attribution.

---

**From:** Daguillard, Robert  
**Sent:** Thursday, April 5, 2018 12:03 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: RFS Inquiry

The program says the following was correct as of Tuesday.

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Block, Molly  
**Sent:** Thursday, April 05, 2018 11:45 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: RFS Inquiry

Yes please!

---

**From:** Daguillard, Robert  
**Sent:** Thursday, April 5, 2018 11:45 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: RFS Inquiry

Check with the program? I don't know if our previous response is still accurate.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Thursday, April 05, 2018 11:43 AM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: RFS Inquiry

Can you say how many small refinery waiver applications you've received for 2018 compliance?

---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]  
**Sent:** Wednesday, April 04, 2018 7:29 PM  
**To:** Gordon, Meghan  
**Cc:** Press; Daguillard, Robert  
**Subject:** Re: RFS Inquiry

For the 2017 compliance year

Sent from my iPhone

On Apr 4, 2018, at 7:20 PM, Gordon, Meghan <[meghan.gordon@spglobal.com](mailto:meghan.gordon@spglobal.com)> wrote:

Thanks again, Molly. I asked this to Liz but didn't hear back: Are the 25 waivers all for 2017?

---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]  
**Sent:** Wednesday, April 04, 2018 12:09 PM  
**To:** Gordon, Meghan  
**Cc:** Press; Daguillard, Robert  
**Subject:** RE: RFS Inquiry

You can attribute it to the Agency.

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Wednesday, April 4, 2018 12:05 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: RFS Inquiry

Thanks, Molly. When you say "on background," can I attribute this to EPA? I don't need to use your name, but I do need to say that the information came from an official source.

---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]  
**Sent:** Wednesday, April 04, 2018 12:04 PM  
**To:** Gordon, Meghan  
**Cc:** Press; Daguillard, Robert  
**Subject:** RFS Inquiry

Meghan –

**On background** (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far.

Best,  
Molly

---

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**To:** Daguillard, Robert[Daguillard.Robert@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Thur 4/5/2018 3:32:14 PM (UTC)  
**Subject:** RE: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Marc –

Ex. 5 Deliberative Process (DP)

On background (not for attribution):

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

**From:** Daguillard, Robert  
**Sent:** Thursday, April 5, 2018 11:31 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Marc Heller [mailto:mheller@eenews.net]  
**Sent:** Thursday, April 05, 2018 11:28 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Hey Robert... a quick question, if I may, as I'm on deadline and trying to cover the bases...

On these small refinery waivers from the RFS, I understand about not revealing which small refineries get them, but is there a policy about disclosing aggregate numbers of refineries so granted?

Does EPA not do that, or yes do that, or isn't there a hard policy one way or the other?

Marc Heller  
Reporter -- Agriculture  
E&E News  
(202) 446-0411  
mheller@eenews.net

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/4/2018 7:00:51 PM  
**To:** Todd Neeley [todd.neeley@dtm.com]  
**Subject:** RE: Small refinery waivers

On background: For calendar year 2016, EPA granted an annual exemption for 14 small refineries.

---

**From:** Todd Neeley [mailto:todd.neeley@dtm.com]  
**Sent:** Wednesday, April 4, 2018 2:59 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Small refinery waivers

Molly, do you have a number for 2016 yet?

**Todd Neeley**  
DTN Staff Reporter | [DTN/The Progressive Farmer](#) | Ag News | United States  
**Phone:** +1402.255.8237 | **Cell:** [Ex. 6 Personal Privacy \(PP\)](#) | **Fax:** +1402.390.7187 | **Wats:** +1800.485.4000 x8237  
**Email:** [todd.neeley@dtm.com](mailto:todd.neeley@dtm.com) | **Address:** 9110 West Dodge Rd, Omaha, NE 68114  
**Twitter:** <https://twitter.com/ToddNeeleyDTN> | <http://www.dtnprogressivefarmer.com/dtnag/home>



---

**From:** Block, Molly [mailto:block.molly@epa.gov]  
**Sent:** Wednesday, April 04, 2018 1:56 PM  
**To:** Todd Neeley <todd.neeley@dtm.com>  
**Subject:** RE: Small refinery waivers

2017 compliance.

---

**From:** Todd Neeley [mailto:todd.neeley@dtm.com]  
**Sent:** Wednesday, April 4, 2018 2:56 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Small refinery waivers

And were the exemptions for 2016 or 2017??

**Todd Neeley**  
DTN Staff Reporter | [DTN/The Progressive Farmer](#) | Ag News | United States  
**Phone:** +1402.255.8237 | **Cell:** [Ex. 6 Personal Privacy \(PP\)](#) | **Fax:** +1402.390.7187 | **Wats:** +1800.485.4000 x8237  
**Email:** [todd.neeley@dtm.com](mailto:todd.neeley@dtm.com) | **Address:** 9110 West Dodge Rd, Omaha, NE 68114  
**Twitter:** <https://twitter.com/ToddNeeleyDTN> | <http://www.dtnprogressivefarmer.com/dtnag/home>





---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]  
**Sent:** Wednesday, April 04, 2018 1:17 PM  
**To:** Todd Neeley <[todd.neeley@dtm.com](mailto:todd.neeley@dtm.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Small refinery waivers

On background (not for attribution): We do not have specifics on overall refining capacity.

---

**From:** Todd Neeley [<mailto:todd.neeley@dtm.com>]  
**Sent:** Wednesday, April 4, 2018 2:08 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Small refinery waivers

Also, can you tell us how many gallons of biofuels the 25 waivers represent?

Thanks,

Todd Neeley  
DTN Staff Reporter | [DTN/The Progressive Farmer](#) | Ag News | United States  
Phone: +1402.255.8237 | Cell: [Ex. 6 Personal Privacy \(PP\)](#) | Fax: +1402.390.7187 | Wats: +1800.485.4000 x8237  
Email: [todd.neeley@dtm.com](mailto:todd.neeley@dtm.com) | Address: 9110 West Dodge Rd, Omaha, NE 68114  
Twitter: <https://twitter.com/ToddNeeleyDTN> | <http://www.dtnprogressivefarmer.com/dtnag/home>



---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]  
**Sent:** Wednesday, April 04, 2018 1:04 PM  
**To:** Todd Neeley <[todd.neeley@dtm.com](mailto:todd.neeley@dtm.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Small refinery waivers

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," EPA spokesperson, Liz Bowman

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far.

---

**From:** Todd Neeley [<mailto:todd.neeley@dtm.com>]  
**Sent:** Wednesday, April 04, 2018 1:54 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** DTN Reporter re: Small refinery waivers

Robert,

You had told us this on March 22 regarding RFS exemptions to small refineries- "To date, we have granted an annual exemption for 14 small refineries for calendar year 2016, and we are still evaluating 2017 petitions. We have not received 2018 petitions."

Today Reuters reports this: <https://www.reuters.com/article/us-usa-biofuels-epa-refineries/u-s-epa-grants-25-small-refineries-relief-from-biofuels-law-source-idUSKCN1HB2AH>

So which is it?

Todd Neeley

DTN Staff Reporter | DTN/The Progressive Farmer | Ag News | United States

Phone: +1402.255.8237 | Cell: Ex. 6 Personal Privacy (PP) | Fax: +1402.390.7187 | Wats: +1800.485.4000 x8237

Email: [todd.neeley@dtn.com](mailto:todd.neeley@dtn.com) | Address: 9110 West Dodge Rd, Omaha, NE 68114

Twitter: <https://twitter.com/ToddNeeleyDTN> | <http://www.dtnprogressivefarmer.com/dtnag/home>



---

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Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/4/2018 6:53:10 PM  
**To:** Eric Wolff [ewolff@politico.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: RFS Waivers

The information on background is not for direct attribution as noted below.

**From:** Eric Wolff [mailto:ewolff@politico.com]  
**Sent:** Wednesday, April 4, 2018 2:51 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: RFS Waivers

And are you an EPA source? Administration source?

On Wed, Apr 4, 2018 at 2:22 PM, Block, Molly <block.molly@epa.gov> wrote:

2017 compliance

**From:** Eric Wolff [mailto:ewolff@politico.com]  
**Sent:** Wednesday, April 4, 2018 2:10 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: RFS Waivers

Thanks Molly – what year are the 25 for? Is that for 2016 compliance? Or 2017?

Also, are you “an EPA official” for the not for attribution?

- Eric

On Wed, Apr 4, 2018 at 2:05 PM, Block, Molly <block.molly@epa.gov> wrote:

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," EPA spokesperson, Liz Bowman

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

-----Original Message-----  
From: Eric Wolff [mailto:[ewolff@politico.com](mailto:ewolff@politico.com)]  
  
Sent: Wednesday, April 4, 2018 8:47 AM  
To: Press <[Press@epa.gov](mailto:Press@epa.gov)>  
Subject: RFS Waivers

Hi -  
  
I know EPA can't say what companies for RFS waivers for their small refineries, but perhaps you can share the total capacity that got waivers due this compliance year?

Thanks!  
  
- Eric

Eric Wolff

--  
  
Eric Wolff  
  
Energy Reporter  
  
POLITICO  
  
760-303-1927  
  
[ewolff@politico.com](mailto:ewolff@politico.com)  
  
[@ericwolff](#)

--  
Eric Wolff  
Energy Reporter  
POLITICO  
760-303-1927  
[ewolff@politico.com](mailto:ewolff@politico.com)



Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/4/2018 6:36:13 PM  
**To:** Dawn Gallagher [dawn.gallagher@dtm.com]; Press [Press@epa.gov]  
**Subject:** RE: RFS Waivers

Here’s the info I sent your colleague Todd Neeley earlier this afternoon:

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman**

**On background** (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

---

**From:** Dawn Gallagher [mailto:dawn.gallagher@dtm.com]  
**Sent:** Wednesday, April 4, 2018 2:31 PM  
**To:** Press <Press@epa.gov>  
**Subject:** RFS Waivers

Good afternoon,

I just read that the agency has confirmed that “roughly 25” refiners have been exempted from the RFS RVO mandate. Is this for 2017?

Any information you could provide would be greatly appreciated.

Thank you,  
Dawn Gallagher

**Dawn Gallagher | DTN | Refined Fuels Editor**  
732.531.4451  
[dawn.gallagher@dtm.com](mailto:dawn.gallagher@dtm.com)  
[www.dtn.com](http://www.dtn.com)

---

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**To:** Jones, Enesta[Jones.Enesta@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Mon 4/9/2018 6:28:01 PM (UTC)  
**Subject:** RE: NJIT Communications Request

Ok

---

**From:** Jones, Enesta  
**Sent:** Monday, April 9, 2018 2:27 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Fwd: NJIT Communications Request

**Suggested Response: On background (not for attribution):** Ex. 5 Deliberative Process (DP)

**From:** "Jenkins, Jesse" <jesse.r.jenkins@njit.edu>  
**Date:** April 9, 2018 at 12:04:15 PM EDT  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Cc:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>, Press <Press@epa.gov>, "Jenkins, Jesse" <jesse.r.jenkins@njit.edu>  
**Subject:** Re: NJIT Communications Request

Hello Enesta,

I wanted to see if someone from the EPA could provide clarification to this statement for accuracy:

"Studies have reported 7 million people in 27 states are served by public water systems with higher than average levels of 1,4-dioxane — or 0.35 parts per billion (PPB) — a level the EPA considers can “marginally increase cancer risk”."

I do not want to overstate this figure in my article and would like to know who I might be directed to in order to get an official EPA estimate.

Thank you again,  
Jesse Jenkins

On Wed, Apr 4, 2018 at 5:21 PM, Jenkins, Jesse <jesse.r.jenkins@njit.edu> wrote:  
Hello Enesta and Robert,

I wanted to follow up to see if there would be someone I could talk to for this data to make it a little more concise.

At this point, I would most like someone to clarify what the EPA's data says compared to [EWG.org report](#) that 7 million people in 27 states are served by public water systems with higher than average or EPA guideline levels of 1,4-dioxane (0.35 parts per billion).

If I can get the EPA's account of this data explained simply in a similar way that I can cite for readers, that would be all I'd need. Essentially, I would like to briefly mention a similar statistic by citing a more official and recognized source like the EPA (rather than EWG).

Of course, I would be open to a short discussion with an expert, as it would be great in exploring the topic further.

Let me know if this is at all possible, and thank you once again.

Best,  
Jesse

On Mon, Apr 2, 2018 at 9:26 AM, Jenkins, Jesse <jesse.r.jenkins@njit.edu> wrote:  
Hello Robert,

The zip code data is confusing to me, but I am looking for someone to clarify what I have interpreted: if this data saying that there are 1,081 instances nationally where the EPA found concentration levels of 1,4-dioxane in drinking water above the .35 parts per billion (the concentration level of what is acceptable by the EPA)?

I would really like EPA's more official version of the [EWG.org](http://EWG.org) finding, but if that is not possible then I'd at least like to have an expert help me quantify this in some type of clear and concise way.

Thank you for all your responses and help. Please let me know if there is someone I can reach out to or be connected with that can provide better explanation.

Best,  
Jesse

On Mon, Apr 2, 2018 at 9:06 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:  
Good morning Jesse,

On background, and on Enesta's behalf, as she's out today, but: Please find associated zip codes with the UCMR data.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**From:** Jenkins, Jesse [<mailto:jesse.r.jenkins@njit.edu>]  
**Sent:** Saturday, March 31, 2018 11:46 AM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Jenkins, Jesse <[jesse.r.jenkins@njit.edu](mailto:jesse.r.jenkins@njit.edu)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: NJIT Communications Request

Hello Enesta,

It is a little tricky to interpret, but is this data saying that there are 1,081 instances nationally where the EPA found concentration levels of 1,4-dioxane in drinking water is above the .35 parts per billion (the concentration level of what is acceptable by the EPA)?

Also, I do not know if there is a geographic context to these instances provided.

I would like to clarify an official version of the [EWG.org](http://EWG.org) figure, or at least be able to report/quantify its prevalence in a similar way if possible.

Thank you so much once again. I really appreciate your help.

Best,  
Jesse

On Fri, Mar 30, 2018 at 5:25 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:  
Jesse,

UCMR3 data can be found here: <https://www.epa.gov/dwucmr/occurrence-data-unregulated-contaminant-monitoring-rule#3>  
On Mar 30, 2018, at 2:31 PM, Jenkins, Jesse <[jesse.r.jenkins@njit.edu](mailto:jesse.r.jenkins@njit.edu)> wrote:

Hello Enesta,



Thank you for this help. Does this mean that there is not usable data or graphic from the EPA similar to the survey I originally shared from [EWG.org](http://EWG.org) for reference? I did not see anything in the UCMR3 link that went into that.

Thank you so much again.

Best,  
Jesse

On Fri, Mar 30, 2018 at 7:51 AM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:  
Jesse,

**On background:**

EPA included 1,4-dioxane on the Contaminant Candidate List, which is a list of contaminants which may require regulation. EPA collected data on the occurrence of 1, 4-dioxane in drinking water as part of the third cycle of the [Unregulated Contaminant Monitoring Rule](#) (UCMR3) (submitted to EPA by July 2016). EPA will consider occurrence data along with health effects information as part of the agency's regulatory determinations process to further evaluate the need for a National Primary Drinking Water Regulation (NPDWR). EPA anticipates completing the next Regulatory Determinations in 2021.

EPA has already established drinking water health advisories for 1,4-dioxane, which are drinking water-specific risk level concentrations for cancer and concentrations of drinking water contaminants at which noncancer adverse health effects are not anticipated to occur over specific exposure durations.

On Mar 29, 2018, at 3:20 PM, Jenkins, Jesse <[jesse.r.jenkins@njit.edu](mailto:jesse.r.jenkins@njit.edu)> wrote:

Hello Enesta,

Thank you so much for the quick response.

I am working on the story through next week, but no official hard deadline has been imposed on me for this story. I am willing to wait for accurate official information or graphics, or potentially helpful expert perspective that can be provided over the next week. Let me know what might be possible. Thank you greatly once again.

Best,  
Jesse

On Thu, Mar 29, 2018 at 3:10 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:  
**Hi Jesse, checking. What is your deadline?**

**From:** Jenkins, Jesse [<mailto:jesse.r.jenkins@njit.edu>]  
**Sent:** Thursday, March 29, 2018 2:50 PM  
**To:** Mears, Mary <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>  
**Subject:** NJIT Communications Request

Hello Mary Mears,

This is Jesse Jenkins, I work with the Communications Office at NJIT.

Right now, I am writing a story about one of our researchers here at the university, who has been featured on in the cover of American Chemical Society journal Environmental Science & Technology Letters for his work concerning the chemical 1,4-Dioxane: <https://pubs.acs.org/doi/abs/10.1021/acs.estlett.7b00504>

To gather more background information, I have looked over the EPA's fact sheet on 1,4-dioxane but had some questions still for the story we are doing.

Specifically, I have seen some non-government [studies](#) that have reported 7 million people in 27 states are served by public water systems with higher than average or EPA guideline levels of 1,4-dioxane (0.35 parts per billion).

I am interested if there is a more official record of this type of report regionally or nationally, or if there would be anyone that I might be able to speak to to provide better insight for the story.

I am also interested to see if there is a 'dioxane map' of the northeast region of U.S., or something similar that might depict where contamination hotspots may be, as it might be relevant being so close to Long Island.

Please let me know if you can help, or what channels I might move through in order to find the right help.

Thank you,  
Jesse Jenkins

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/9/2018 5:12:06 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Connecticut's Sec. 126 petition

Ok

---

**From:** Jones, Enesta  
**Sent:** Monday, April 9, 2018 1:12 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Fwd: Connecticut's Sec. 126 petition

**On background (not for attribution):**

**Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** Sean Reilly <sreilly@eenews.net>  
**Date:** April 9, 2018 at 12:56:00 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** Connecticut's Sec. 126 petition

Hi folks:

According to this fact sheet ([https://www.epa.gov/sites/production/files/2018-02/documents/ct\\_126\\_petition\\_proposal\\_fact\\_sheet.pdf](https://www.epa.gov/sites/production/files/2018-02/documents/ct_126_petition_proposal_fact_sheet.pdf)), EPA was required to take final action on the petition by yesterday. In this case as well, I don't see anything posted on the relevant website (<https://www.epa.gov/ozone-pollution/connecticut-126-petition>). Has final action been taken and, if so, can we get a copy ASAP?

Thanks,  
Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP)

 (Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

**E&E NEWS**  
122 C Street, NW, Suite 722, Washington, DC 20001  
[www.eenews.net](http://www.eenews.net) • [www.eenews.tv](http://www.eenews.tv)



Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/9/2018 4:32:59 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: RFS Inquiry

Yes, thanks!

Sent from my iPhone

On Apr 9, 2018, at 12:29 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Numbers still accurate. Send on background?

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP)

 (M)  
202-564-6618 (O)

On Apr 9, 2018, at 12:05 PM, Block, Molly <block.molly@epa.gov> wrote:

Yes please. Thank you!

---

**From:** Daguillard, Robert  
**Sent:** Monday, April 9, 2018 12:03 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: RFS Inquiry

Molly, should I check with the program?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Monday, April 09, 2018 12:00 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: RFS Inquiry

Are these #s still up to date? Asking just in case other applications have come in.

EPA received 29 petitions from small refineries for the 2017 compliance year and has granted 25.

Thanks again,  
Meghan

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Thursday, April 05, 2018 1:30 PM  
**To:** Gordon, Meghan  
**Cc:** Press  
**Subject:** RE: RFS Inquiry

Meghan, still on background, please:

“For the 2017 compliance year, we have received 29 petitions from small refineries.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Thursday, April 05, 2018 12:14 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: RFS Inquiry

Thanks. A source is saying 30 additional petitions are being considered. Is that for 2017 compliance then?

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Thursday, April 05, 2018 12:05 PM  
**To:** Gordon, Meghan  
**Cc:** Press  
**Subject:** RE: RFS Inquiry

Meghan, on background, not for attribution, please:

**“We have not received 2018 petitions.”**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Thursday, April 05, 2018 11:48 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: RFS Inquiry

Thanks, Robert. We publish to a real-time newswire, so the deadline is always asap.

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Thursday, April 05, 2018 11:47 AM  
**To:** Gordon, Meghan  
**Subject:** RE: RFS Inquiry

Good morning Meghan,

I imagine you're writing a story today? What's your deadline, please?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Gordon, Meghan [mailto:meghan.gordon@spglobal.com]  
**Sent:** Thursday, April 05, 2018 11:43 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: RFS Inquiry

Can you say how many small refinery waiver applications you've received for 2018 compliance?

---

**From:** Block, Molly [mailto:block.molly@epa.gov]  
**Sent:** Wednesday, April 04, 2018 7:29 PM  
**To:** Gordon, Meghan  
**Cc:** Press; Daguillard, Robert  
**Subject:** Re: RFS Inquiry

For the 2017 compliance year

Sent from my iPhone

On Apr 4, 2018, at 7:20 PM, Gordon, Meghan <meghan.gordon@spglobal.com> wrote:

Thanks again, Molly. I asked this to Liz but didn't hear back: Are the 25 waivers all for 2017?

---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]  
**Sent:** Wednesday, April 04, 2018 12:09 PM  
**To:** Gordon, Meghan  
**Cc:** Press; Daguiard, Robert  
**Subject:** RE: RFS Inquiry

You can attribute it to the Agency.

---

**From:** Gordon, Meghan [<mailto:meghan.gordon@spglobal.com>]  
**Sent:** Wednesday, April 4, 2018 12:05 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** RE: RFS Inquiry

Thanks, Molly. When you say "on background," can I attribute this to EPA? I don't need to use your name, but I do need to say that the information came from an official source.

---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]  
**Sent:** Wednesday, April 04, 2018 12:04 PM  
**To:** Gordon, Meghan  
**Cc:** Press; Daguiard, Robert  
**Subject:** RFS Inquiry

Meghan –

**On background** (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far.

Best,  
Molly

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**To:** Jones, Enesta[Jones.Enesta@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Mon 4/9/2018 4:24:44 PM (UTC)  
**Subject:** RE: final NO2 NAAQS rule

Good. Thanks!

---

**From:** Jones, Enesta  
**Sent:** Monday, April 9, 2018 12:23 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Subject:** Fwd: final NO2 NAAQS rule

Ok?

**On background (not for attribution):** **Ex. 5 Deliberative Process (DP)**

**From:** Stuart Parker <stuart.parker@iwpnews.com>  
**Date:** April 9, 2018 at 12:20:56 PM EDT  
**To:** Enesta Jones <Jones.Enesta@epamail.epa.gov>  
**Subject:** final NO2 NAAQS rule

Enesta, Hi.

I believe EPA was under a judicial deadline to issue a final NO2 NAAQS rule by April 6. I have not seen such a rule yet, can you please update me on what EPA's timetable now is to issue the rule?

Thanks,  
  
Stuart Parker  
  
Inside EPA  
  
703 416 8516

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/18/2018 8:03:06 PM  
**To:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** FW: For Review: Washington Times (Jeff Murdock) re employment policies (Deadline: 4/19)  
**Attachments:** OCEFT conduct-final.pdf

FYI

---

**From:** Jones, Enesta  
**Sent:** Wednesday, April 18, 2018 2:36 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Washington Times (Jeff Murdock) re employment policies (Deadline: 4/19)

**Suggested Response:**

**On background:**

- 
- 
- 
- 
- 
- 

## Ex. 5 Deliberative Process (DP)

**From:** Jeff Mordock [<mailto:jmordock@washingtontimes.com>]  
**Sent:** Tuesday, April 17, 2018 4:58 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Question about EPA employment policies

Hello,

I am working on a story about reporting requirements for employees and interested in government agencies. I'm looking for answers to the following questions.

1. Does the EPA have a policy that requires an active employee to tell the agency if they've committed a crime?
2. If so, what is the threshold for reporting that a crime? A misdemeanor or felony? An arrest or an indictment?

3. Does the EPA do any proactive searches to see if employees have committed a crime before the agency is notified?

I know the Office of Personnel Management does not require government employees to notify an agency if they've been arrested/charged with a crime. I'm just curious if agencies have adopted individual policies.

Thank you,

--

Jeff Mordock  
Investigative/Government Reporter  
The Washington Times  
3600 New York Avenue  
Washington, DC 2002  
Ph: (202) 636-3041  
[jmordock@washingtontimes.com](mailto:jmordock@washingtontimes.com)

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**To:** Daguillard, Robert[Daguillard.Robert@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Wed 4/4/2018 6:22:33 PM (UTC)  
**Subject:** RE: RFS Waivers

Thank!

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, April 4, 2018 2:22 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: RFS Waivers

From the program, based on a previous response last night:

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

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**From:** Block, Molly  
**Sent:** Wednesday, April 04, 2018 2:18 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** FW: RFS Waivers

Can we double check with the program?

**From:** Eric Wolff [mailto:ewolff@politico.com]  
**Sent:** Wednesday, April 4, 2018 2:10 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: RFS Waivers

Thanks Molly – what year are the 25 for? Is that for 2016 compliance? Or 2017?

Also, are you “an EPA official” for the not for attribution?

- Eric

On Wed, Apr 4, 2018 at 2:05 PM, Block, Molly <block.molly@epa.gov> wrote:  
"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," EPA spokesperson, Liz Bowman

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

-----Original Message-----  
**From:** Eric Wolff [mailto:ewolff@politico.com]  
**Sent:** Wednesday, April 4, 2018 8:47 AM  
**To:** Press <Press@epa.gov>  
**Subject:** RFS Waivers

Hi -

I know EPA can't say what companies for RFS waivers for their small refineries, but perhaps you can share the total capacity that got waivers due this compliance year?

Thanks!

- Eric

Eric Wolff

--

Eric Wolff  
Energy Reporter  
POLITICO  
760-303-1927  
[ewolff@politico.com](mailto:ewolff@politico.com)  
[@ericwolff](#)

**To:** Daguillard, Robert[Daguillard.Robert@epa.gov]; Press[Press@epa.gov]  
**Cc:** schaffer, joan[schaffer.joan@epa.gov]; White, Terri-A[White.Terri-A@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Fri 5/25/2018 5:43:59 PM (UTC)  
**Subject:** RE: John:,Your questions for EPA

Ok

**From:** Daguillard, Robert  
**Sent:** Friday, May 25, 2018 1:41 PM  
**To:** Press <Press@epa.gov>  
**Cc:** schaffer, joan <schaffer.joan@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>  
**Subject:** FW: John:,Your questions for EPA

The program recommends Ex. 5 Deliberative Process (DP) OK  
to send?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** John Bray [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Friday, May 25, 2018 1:10 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: John:,Your questions for EPA

R,  
Was there anything in your file where DC explained its reason for seeking the exception? Wouldn't the application need to explain in some detail the motivation? Or can they just say, we think ginkgo smells bad. Thanks. John

On Fri, May 25, 2018 at 11:51 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:  
Hullo John,

I just heard your voicemail just now. Let me know what you need. Email is probably easiest.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Daguillard, Robert  
**Sent:** Friday, May 25, 2018 10:50 AM  
**To:** 'John Bray' <Ex. 6 Personal Privacy (PP)>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: John:,Your questions for EPA

John, again on background – meaning for attribution to U.S. EPA, please:

For EPA to provide a copy of DC's 24(c) registration application, the requestor would need to submit a request under the Freedom of Information Act. An alternative approach would be to ask DC's Department of Energy & Environment for a copy of their 24 (c) registration. Using the following link, the requestor can obtain a copy of the label for chlorpropham's use on ginkgo in DC.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** John Bray [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Tuesday, May 22, 2018 7:03 AM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Subject:** Re: John:,Your questions for EPA

Hi Robert,

Thanks for the information. What do you mean by "background." Do have a link to the original application from D.C.? Thanks. John

On Mon, May 21, 2018 at 1:48 PM, Daguiard, Robert <Daguiard.Robert@epa.gov> wrote:  
John, on background, please:

**1. What prompted the exception?**

Chlorpropham is a pesticide registered with EPA under FIFRA section 3 as plant growth regulator to inhibit sprouting in stored potatoes. In addition, chlorpropham is registered under section 24(c) of FIFRA for use in Washington, DC, on ginkgo trees, to prevent fruiting that produces an unpleasant odor, and in California for use on field-grown Easter lilies to remove floral buds that are susceptible to *Botrytis* fungal infection. Section 24(c) of FIFRA provides that states (or the District of Columbia) can register a new pesticide product, or add a new use to an already-registered product (as is the case here), as long as there is a demonstrated "special local need." Washington, DC, demonstrated a special local need to use chlorpropham on ginkgo trees, and EPA concluded that the use did not pose a risk concern.

**2. Who initiated the request for the use?**

DC's Department of Energy & Environment submitted the 24 (c) registration.

**3. How unusual are such exceptions?**

24 (c) registrations are not unusual. More information on this type of registration is available at [www.epa.gov/pesticide-registration/guidance-fifra-24c-registrations](http://www.epa.gov/pesticide-registration/guidance-fifra-24c-registrations).

**4. Why is it only Washington, D.C.?**

As stated above, Washington, DC, demonstrated a special local need to use chlorpropham on ginkgo trees. According to FIFRA, "special local need" means an existing or imminent pest problem within a state for which the state lead agency has determined that an appropriate federally registered pesticide product is not sufficiently available.

**5. Has any other city or region sought the exception?**

No other state has submitted a 24 (c) registration for chlorpropham's use on ginkgo trees. However, as stated above, California has a 24(c) registration for the use of chlorpropham on field grown Easter lilies. Oregon also has an active 24(c) label for the same use. In addition, Idaho has an active 24(c) label for chlorpropham use in stored potatoes to inhibit sprouting.

**6. Who has been monitoring the use of the agent in D.C. and its impact on the environment and effectiveness for the purpose intended, and what have been the results?**

DC's Department of Energy & Environment and Department of Transportation are the best sources for this information. See <https://ddot.dc.gov/page/female-ginkgo-tree-removal-policy>. EPA conducted an ecological risk assessment for chlorpropham's registration review.

**7. Is there any concern about impact on other trees from the spraying, such as impact on fruit trees in nearby gardens?**

When used according to the label (see [https://ddot.dc.gov/sites/default/files/dc/sites/ddot/publication/attachments/shield\\_ginkgo\\_fruit\\_spray\\_information.pdf](https://ddot.dc.gov/sites/default/files/dc/sites/ddot/publication/attachments/shield_ginkgo_fruit_spray_information.pdf)), there are no risks of concern to other fruiting trees.

**8. Can you send the link to the September 2017 risk assessment and the most recent documents about the status of review of the use?**

All documents related to the chlorpropham registration review case can be found at [www.regulations.gov/docket?D=EPA-HQ-OPP-2010-0923](http://www.regulations.gov/docket?D=EPA-HQ-OPP-2010-0923)

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP) (M)

  
202-564-6618 (O)



Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 5/21/2018 7:53:54 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW: The Chemical Daily (Yoshi Sato) - TSCA - ASAP

Great, thanks. It's good by me.

---

**From:** Daguillard, Robert  
**Sent:** Monday, May 21, 2018 3:53 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: FOR REVIEW: The Chemical Daily (Yoshi Sato) - TSCA - ASAP

Yes, #7 is still waiting for an OECA response. I'd suggest sending the bulk now, though, as the reporter had been waiting for the answers for a while.

The highlighted portions are **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)** Obviously, I can remove the highlights before sending.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Block, Molly  
**Sent:** Monday, May 21, 2018 3:48 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: FOR REVIEW: The Chemical Daily (Yoshi Sato) - TSCA - ASAP

Looks like there's a question in the 5.11.18 document that's waiting for an answer from OECA. Why is some of the text highlighted?

---

**From:** Daguillard, Robert  
**Sent:** Monday, May 21, 2018 3:25 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: The Chemical Daily (Yoshi Sato) - TSCA - ASAP

**SUMMARY:** The reporter writes for The Chemical Daily, a Japanese newspaper. He's asking general questions about TSCA reform.. OK to send for attribution to the agency or to "a senior EPA official?"— The Chemical Daily — [yoshi@rsijapan.com](mailto:yoshi@rsijapan.com)

RESPONSE:

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

**From:** Yoshi [<mailto:yoshi@rsijapan.com>]  
**Sent:** Thursday, May 03, 2018 11:20 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** 2018-05-03 The Chemical Daily interview questions for EPA

Dear Mr. Daguillard,

I am in communication as a contributor to The Chemical Daily (TCD) in order to request a written interview with EPA staff involved with the TSCA program. We intend to publish this interview in our daily newspaper to coincide with our Chemical Management Meeting in Yokohama on May 17-18. We would wish to attribute the interview response to a specific staff person (e.g., Jeff Morris, Lynn Vendinello) and TCD would like a photograph to print with the article.

Please find attached a document containing our interview questions. We kindly request responses to these interview questions by the end of May 7. We realise this is very limited time, and appreciate responses to as many of these questions as is feasible within the timeframe remaining.

We look forward to hearing back from you on this.

With kindest regards,

~~~~~

Yoshimori Sato  
Office Manager  
Regulatory Services International Japan (RSI Japan)  
Shiodome Building, 1-2-20 Kaigan, Minato-ku, Tokyo, 105-0022  
Tel: +81-50-3698-1520  
Fax: +81-50-3488-1395  
e-mail: [yoshi@rsijapan.com](mailto:yoshi@rsijapan.com)  
website: <http://www.rsireg.com/>

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/4/2018 6:16:49 PM  
**To:** Todd Neeley [todd.neeley@dtm.com]  
**CC:** Press [Press@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RE: Small refinery waivers

On background (not for attribution): We do not have specifics on overall refining capacity.

---

**From:** Todd Neeley [mailto:todd.neeley@dtm.com]  
**Sent:** Wednesday, April 4, 2018 2:08 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Small refinery waivers

Also, can you tell us how many gallons of biofuels the 25 waivers represent?

Thanks,

Todd Neeley  
DTN Staff Reporter | *DTN/The Progressive Farmer* | Ag News | United States  
Phone: +1402.255.8237 | Cell: (Ex. 6 Personal Privacy (PP)) | Fax: +1402.390.7187 | Wats: +1800.485.4000 x8237  
Email: [todd.neeley@dtm.com](mailto:todd.neeley@dtm.com) | Address: 9110 West Dodge Rd, Omaha, NE 68114  
Twitter: <https://twitter.com/ToddNeeleyDTN> | <http://www.dtnprogressivefarmer.com/dtnag/home>



---

**From:** Block, Molly [mailto:block.molly@epa.gov]  
**Sent:** Wednesday, April 04, 2018 1:04 PM  
**To:** Todd Neeley <[todd.neeley@dtm.com](mailto:todd.neeley@dtm.com)>  
**Cc:** Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Small refinery waivers

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman**

**On background** (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far.

---

**From:** Todd Neeley [mailto:todd.neeley@dtm.com]  
**Sent:** Wednesday, April 04, 2018 1:54 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** DTN Reporter re: Small refinery waivers

Robert,

You had told us this on March 22 regarding RFS exemptions to small refineries- "To date, we have granted an annual exemption for 14 small refineries for calendar year 2016, and we are still evaluating 2017 petitions. We have not received 2018 petitions."

Today Reuters reports this: <https://www.reuters.com/article/us-usa-biofuels-epa-refineries/u-s-epa-grants-25-small-refineries-relief-from-biofuels-law-source-idUSKCN1HB2AH>

So which is it?

Todd Neeley

DTN Staff Reporter | DTN/*The Progressive Farmer* | Ag News | United States

Phone: +1402.255.8237 | Cell: Ex. 6 Personal Privacy (PP) | Fax: +1402.390.7187 | Wats: +1800.485.4000 x8237

Email: [todd.neeley@dtm.com](mailto:todd.neeley@dtm.com) | Address: 9110 West Dodge Rd, Omaha, NE 68114

Twitter: <https://twitter.com/ToddNeeleyDTN> | <http://www.dtnprogressivefarmer.com/dtnag/home>



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**To:** Daguillard, Robert[Daguillard.Robert@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Tue 4/17/2018 7:40:12 PM (UTC)  
**Subject:** RE: For Review - Environmental Health News -- Inadvertent PCBs - 4/17

Updated below

**From:** Daguillard, Robert  
**Sent:** Tuesday, April 17, 2018 3:38 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review - Environmental Health News -- Inadvertent PCBs - 4/17

SUMMARY

**Ex. 5 Deliberative Process (DP)** Draft response, and proposed attribution, follow – Brian Bienkowski – Environmental Health News – [bbienkowski@ehsciences.org](mailto:bbienkowski@ehsciences.org)

RESPONSE

**Ex. 5 Deliberative Process (DP)**

**Background -** **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

**From:** Brian Bienkowski [<mailto:bbienkowski@ehsciences.org>]  
**Sent:** Sunday, April 15, 2018 9:42 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Comment request -- Inadvertent PCBs

Hi Robert,

Brian from Environmental Health News again.

I'm writing about a story I'm working on based on a study to be released this week. (Embargo lifts Weds, 4/18.) The study found finished kitchen cabinets are a significant source of PCBs to the indoor air of homes. The researchers hypothesize polymer products are the source. They have some concerns that these compounds have been linked in the past to neurotoxic impacts and endocrine disruption.

I've attached proof, advanced copy.

I was wondering if the EPA could:

- 1) Comment on the study, and its implications.
- 2) Comment on whether these indoor emissions are on the radar of the agency at all;
- 3) If the agency is not regulating these, why not?

Thanks, Robert. My deadline is Tuesday at 5 pm ET.

Brian

--

Senior Editor  
Environmental Health News, The Daily Climate

(c) Ex. 6 Personal Privacy (PP)

Twitter: @BrianBienkowski

**To:** Eric Wolff[ewolff@politico.com]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Wed 4/4/2018 6:05:11 PM (UTC)  
**Subject:** RE: RFS Waivers

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," EPA spokesperson, Liz Bowman

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

-----Original Message-----

From: Eric Wolff [mailto:ewolff@politico.com]  
Sent: Wednesday, April 4, 2018 8:47 AM  
To: Press <Press@epa.gov>  
Subject: RFS Waivers

Hi -

I know EPA can't say what companies for RFS waivers for their small refineries, but perhaps you can share the total capacity that got waivers due this compliance year?

Thanks!

- Eric

Eric Wolff

**To:** todd.neeley@dtn.com[todd.neeley@dtn.com]  
**Cc:** Press[Press@epa.gov]; Daguillard, Robert[Daguillard.Robert@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Wed 4/4/2018 6:03:39 PM (UTC)  
**Subject:** RE: Small refinery waivers

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman**

**On background** (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far.

---

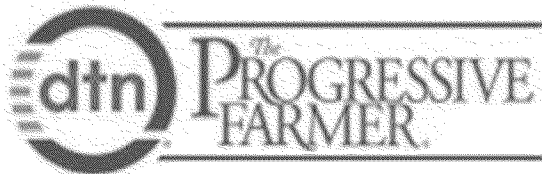
**From:** Todd Neeley [mailto:todd.neeley@dtn.com]  
**Sent:** Wednesday, April 04, 2018 1:54 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** DTN Reporter re: Small refinery waivers

Robert,  
You had told us this on March 22 regarding RFS exemptions to small refineries- "To date, we have granted an annual exemption for 14 small refineries for calendar year 2016, and we are still evaluating 2017 petitions. We have not received 2018 petitions."

Today Reuters reports this: <https://www.reuters.com/article/us-usa-biofuels-epa-refineries/u-s-epa-grants-25-small-refineries-relief-from-biofuels-law-source-idUSKCN1HB2AH>

So which is it?

**Todd Neeley**  
DTN Staff Reporter | **DTN/The Progressive Farmer** | **Ag News** | **United States**  
**Phone:** +1402.255.8237 | **Cell:** Ex. 6 Personal Privacy (PP) | **Fax:** +1402.390.7187 | **Wats:** +1800.485.4000 x8237  
**Email:** todd.neeley@dtn.com | **Address:** 9110 West Dodge Rd, Omaha, NE 68114  
**Twitter:** <https://twitter.com/ToddNeeleyDTN> | <http://www.dtnprogressivefarmer.com/dtnag/home>



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**To:** Wilcox, Jahan[wilcox.jahan@epa.gov]  
**Cc:** Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Wed 4/4/2018 5:49:48 PM (UTC)  
**Subject:** RE: Request for data/comment on RFS

We sent her this:

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman**

**On background** (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. For calendar year 2016, EPA granted an annual exemption for 14 small refineries. We do not have specifics on overall refining capacity.

---

**From:** Wilcox, Jahan  
**Sent:** Wednesday, April 4, 2018 1:49 PM  
**Cc:** Press <Press@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Request for data/comment on RFS

Let's work on getting a response to this please.

---

**From:** Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:) [<mailto:jdrouhy1@bloomberg.net>]  
**Sent:** Wednesday, April 4, 2018 12:05 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Request for data/comment on RFS

Good morning, EPA press.

I have a *policy*-related request.

I know you cannot release refinery-specific information on the number of RFS waivers granted under the small refinery hardship exemption program. Of course, we have a couple related FOIA requests pending for some other detail on waivers (as do plenty of others).

However, you have been able to provide aggregated numbers of refinery waivers (if not total RVO waived) on an annual basis in the past.

**Can you confirm how many small refineries have been granted waivers under the program for the 2016 compliance year?** The final RVO rule for 2018, issued last November, said that EPA "successfully implemented these provisions by evaluating petitions for exemptions from 14 small refineries for the 2016 RFS standards" and said that small refinery hardship exemptions for 2016 "led to the return to the RIN marketplace of approximately 125 million 2016 RINs that would otherwise have been required for compliance by the small refineries granted an exemption for 2016." But we understand more exemptions have since been granted for the 2016 compliance year, and the total now stands at 16 to 18.

**What can you say about the status/number of exemptions so far granted under the program for the 2017 compliance year?** We'll obviously see some total in the proposed RVO rule expected to be issued sometime later this spring.

Finally, **if you want to say anything substantive in response to the criticism from Sen. Chuck Grassley** (his statement is below) and various biofuel advocates casting this as a secretive way to undermine the mandate -- and not, say, following the law as Congress wrote it -- I would welcome that.

Thank you,  
Jen.

Grassley statement:

"If the reporting is accurate, it appears EPA granted a secret waiver that is legally reserved for small refiners to one of the largest oil refining companies in the country. If refineries are being allowed to retroactively get out of the renewable volume obligations the EPA assigned them in November, that fundamentally undermines the Renewable Fuel Standard. It would also amount to a massive government handout to a big corporation that made billions in profits just last year. Giving big corporations like Andeavor a free pass when other companies are required to follow the law of the land isn't just unfair, it may be illegal. The executive branch is required to follow the law as passed by Congress. There are legitimate questions being raised about whether EPA is following the law with these exemptions. I plan on writing to Administrator Pruitt to ask him about these reports. The public deserves transparency about this secret waiver and I expect EPA to be forthcoming." – Sen. Chuck Grassley

---

---  
Jennifer A. Dlouhy

[jdlouhy1@bloomberg.net](mailto:jdlouhy1@bloomberg.net)

**Ex. 6 Personal Privacy (PP)**

[reporterjen@protonmail.com](mailto:reporterjen@protonmail.com)

Desk: 202.807.2159

Cell/Text/Signal:

**Ex. 6 Personal Privacy (PP)**

Twitter: @jendlouhyhc

Stories: <http://bloom.bg/23Crpvk>

**To:** Jennifer A. Dlouhy[jdlouhy1@bloomberg.net]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Wed 4/4/2018 4:28:20 PM (UTC)  
**Subject:** RE: Request for data/comment on RFS

Hey Jennifer –

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold,” **EPA spokesperson, Liz Bowman**

**On background** (not for attribution): DOE’s analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. For calendar year 2016, EPA granted an annual exemption for 14 small refineries. We do not have specifics on overall refining capacity.

---

**From:** Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:) [mailto:jdlouhy1@bloomberg.net]  
**Sent:** Wednesday, April 4, 2018 12:05 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Request for data/comment on RFS

Good morning, EPA press.

I have a *policy*-related request.

I know you cannot release refinery-specific information on the number of RFS waivers granted under the small refinery hardship exemption program. Of course, we have a couple related FOIA requests pending for some other detail on waivers (as do plenty of others).

However, you have been able to provide aggregated numbers of refinery waivers (if not total RVO waived) on an annual basis in the past.

**Can you confirm how many small refineries have been granted waivers under the program for the 2016 compliance year?** The final RVO [rule](#) for 2018, issued last November, said that EPA "successfully implemented these provisions by evaluating petitions for exemptions from 14 small refineries for the 2016 RFS standards" and said that small refinery hardship exemptions for 2016 "led to the return to the RIN marketplace of approximately 125 million 2016 RINs that would otherwise have been required for compliance by the small refineries granted an exemption for 2016." But we understand more exemptions have since been granted for the 2016 compliance year, and the total now stands at 16 to 18.

**What can you say about the status/number of exemptions so far granted under the program for the 2017 compliance year?** We'll obviously see some total in the proposed RVO rule expected to be issued sometime later this spring.

Finally, **if you want to say anything substantive in response to the criticism from Sen. Chuck Grassley** (his statement is below) and various biofuel advocates casting this as a secretive way to undermine the mandate -- and not, say, following the law as Congress wrote it -- I would welcome that.

Thank you,  
Jen.

Grassley statement:

“If the [reporting](#) is accurate, it appears EPA granted a secret waiver that is legally reserved for small refiners to one of the largest oil refining companies in the country. If refineries are being allowed to retroactively get out of the renewable volume obligations the EPA assigned them in November, that fundamentally undermines the Renewable Fuel Standard. It would also amount to a massive government handout to a big corporation

that made billions in profits just last year. Giving big corporations like Andeavor a free pass when other companies are required to follow the law of the land isn't just unfair, it may be illegal. The executive branch is required to follow the law as passed by Congress. There are legitimate questions being raised about whether EPA is following the law with these exemptions. I plan on writing to Administrator Pruitt to ask him about these reports. The public deserves transparency about this secret waiver and I expect EPA to be forthcoming." – Sen. Chuck Grassley

---

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Jennifer A. Dlouhy

[jdlouhy1@bloomberg.net](mailto:jdlouhy1@bloomberg.net) / **Ex. 6 Personal Privacy (PP)**

[reporterjen@protonmail.com](mailto:reporterjen@protonmail.com)

Desk: 202.807.2159

Cell/Text/Signal: **Ex. 6 Personal Privacy (PP)**

Twitter: @jendlouhyhc

Stories: <http://bloom.bg/23Crpvk>

**To:** christine.prentice@thomsonreuters.com[christine.prentice@thomsonreuters.com]  
**Cc:** Press[Press@epa.gov]; Daguillard, Robert[Daguillard.Robert@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Wed 4/4/2018 4:08:38 PM (UTC)  
**Subject:** RE: RFS Inquiry

You can say attribute it to the Agency, but not a spokesperson/direct attribution.

Also want to make sure you have this:

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold,” **EPA spokesperson, Liz Bowman**

---

**From:** christine.prentice@thomsonreuters.com [mailto:christine.prentice@thomsonreuters.com]  
**Sent:** Wednesday, April 4, 2018 12:05 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: RFS Inquiry

We are now reporting this (please see below). I want to clear up what you mean by on background: can we say that a spokeswoman confirmed this?

Can you tell us how many applications you’ve so far received, so we can put that 25 in context?

Thanks,

# U.S. **EPA** grants 25 small refineries relief from biofuels law - source - Reuters News

04-Apr-2018 11:42:07 AM

By Jarrett Renshaw

NEW YORK, April 4 (Reuters) - The U.S. Environmental Protection Agency granted hardship exemptions from the nation's biofuel laws to 25 oil refineries in 2017, according to an agency source, representing a significant expansion of the waiver program.

In a typical year, the **EPA** would receive about 12 to 15 requests for hardship exemptions and would grant about half of them, a second source familiar with the program told Reuters.

Refiners, including large ones like Andeavor, applied for the hardship waivers in larger numbers in the wake of a federal appeals court ruling in August that said the **EPA** must expand the criteria for approving such waiver

--  
**Chris Prentice**  
Reporter  
Thomson Reuters  
+1-646-223-6136 (desk)  

Ex. 6 Personal Privacy (PP)

(mobile)  
[christine.prentice@thomsonreuters.com](mailto:christine.prentice@thomsonreuters.com)  
[www.reuters.com](http://www.reuters.com)  
@chrisprentice

---

**From:** Block, Molly [mailto:block.molly@epa.gov]  
**Sent:** Wednesday, April 04, 2018 12:03 PM  
**To:** Prentice, Chris (Reuters)  
**Cc:** Press; Daguillard, Robert

Christine –

**On background** (not for attribution): DOE’s analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far.

Best,  
Molly

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/4/2018 4:01:52 PM  
**To:** nick@pennwell.com  
**CC:** Press [Press@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RFS Inquiry

Nick –

Hope all is well!

“The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold,” **EPA spokesperson, Liz Bowman**

**On background** (not for attribution): DOE’s analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

Best,  
Molly

**To:** Daguillard, Robert[Daguillard.Robert@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Mon 4/16/2018 3:12:56 PM (UTC)  
**Subject:** RE: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Yes.

---

**From:** Daguillard, Robert  
**Sent:** Monday, April 16, 2018 11:03 AM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Thanks. Will the preceding also serve as a response to the follow-up question he’s sent in the meantime?

I appreciate it. Please let me know as soon as you can what you can provide.

I would like to add a question to my query. Why is the waiver process conducted privately and not publicly?

Thanks again for your attention to this request.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

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**From:** Block, Molly  
**Sent:** Monday, April 16, 2018 11:02 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

We can send the reporter this:

Ex. 5 Deliberative Process (DP)

On background (not for attribution): 

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

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**From:** Daguillard, Robert  
**Sent:** Monday, April 16, 2018 10:46 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Third Floor, please advise on handling.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency



Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Spencer, Jim [<mailto:Jim.Spencer@startribune.com>]  
**Sent:** Monday, April 16, 2018 10:22 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Robert,

I am writing a story about the impact of Scott Pruitt's issuance of ethanol waivers on Minnesota corn farmers and ethanol producers. I am told that Administrator Pruitt has issued waivers for 1.2 billion gallons of ethanol this year and need to confirm that number with the agency. I also need a statement from the EPA to respond to farmers and ethanol producers who contend that the EPA's ethanol waivers are hurting a renewable fuel source that is better for the environment than regular gasoline. I need a response from the agency today if at all possible.

If you absolutely cannot get me anything today, my drop dead deadline is close of business Wednesday. I am off tomorrow dealing with a family health emergency. Please let me know as soon as possible what you will provide and when. I appreciate the effort.

Thanks,

Jim Spencer  
Washington correspondent  
Minneapolis Star Tribune  
National Press Building  
529 14<sup>th</sup> Street NW  
Suite 969  
Washington, DC 20045

(202) 662-7432 office  
**Ex. 6 Personal Privacy (PP)** mobile  
[jim.spencer@startribune.com](mailto:jim.spencer@startribune.com)

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 4/3/2018 6:05:24 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Questions from The Desert Sun regarding maquiladoras in Mexico and the EPA's past use of subpoenas

Ok

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, April 3, 2018 1:57 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Questions from The Desert Sun regarding maquiladoras in Mexico and the EPA's past use of subpoenas

Third Floor, the program has confirmed the reporter's reading of our previous response. I'll tell him as much unless I hear otherwise from you.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** James, Ian [mailto:ian.james@desertsun.com]  
**Sent:** Tuesday, April 03, 2018 1:28 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Questions from The Desert Sun regarding maquiladoras in Mexico and the EPA's past use of subpoenas

Hello, Robert:

I would like to confirm something about this comment. I think you mean that the EPA has not issued subpoenas for this purpose since the agency issued subpoenas in 1994 as described in the 1995 document. Is that correct?

Also, are you saying that you are asking not to be quoted by name on this comment?

Thank you,  
Ian James

Ian James  
Reporter, Water and Environment

**Desert Sun.**

PART OF THE USA TODAY NETWORK

Office: 760.778.4693  
Mobile: **Ex. 6 Personal Privacy (PP)**  
ian.james@desertsun.com  
@TDSIanJames  
desertsun.com

---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]

**Sent:** Thursday, March 29, 2018 8:15 AM

**To:** James, Ian <[ian.james@desertsun.com](mailto:ian.james@desertsun.com)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: Questions from The Desert Sun regarding maquiladoras in Mexico and the EPA's past use of subpoenas

Ian, for attribution to "an EPA spokesperson," please:

EPA has not issued subpoenas to collect information from U.S.-based parent companies of maquiladoras in Mexico regarding chemical releases contributing to the pollution of the New River, which flows into the U.S. or for any comparable activity.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** James, Ian [<mailto:ian.james@desertsun.com>]

**Sent:** Tuesday, February 20, 2018 10:52 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Cc:** Mogharabi, Nahal <[MOGHARABI.NAHAL@EPA.GOV](mailto:MOGHARABI.NAHAL@EPA.GOV)>

**Subject:** Questions from The Desert Sun regarding maquiladoras in Mexico and the EPA's past use of subpoenas

Hello,

I'm a reporter with The Desert Sun in Palm Springs, and I have some questions relating to maquiladora factories in Mexico. My questions relate to the attached 1995 document and any similar EPA activities since. The document explains that in 1994, the EPA used letters and subpoenas to collect information from U.S.-based parent companies of maquiladoras in Mexico regarding chemical releases contributing to the pollution of the New River, which flows into the U.S.

I'm wondering if the EPA has ever used its subpoena authority anytime since then to collect information from the U.S.-based parent companies of maquiladoras in Mexico.

I'd also like to ask, if the EPA hasn't used subpoenas for this purpose anytime since then, why not?

I first checked with EPA Region 9 about this, and I was told that EPA Region 9 is not aware of any requests of this type since 1995. I would like to request information on this topic for the entire agency to confirm whether or not this approach has been used by the EPA since that time.

In addition to a written response to these questions, I would appreciate an opportunity to speak with an EPA representative about this topic. Thank you.

Best regards,  
Ian James

Ian James  
Reporter, Water and Environment

# Desert Sun.

PART OF THE USA TODAY NETWORK

Office: 760.778.4693

Mobile: [\[Ex. 6 Personal Privacy \(PP\)\]](#)

[ian.james@desertsun.com](mailto:ian.james@desertsun.com)

[@TDSIanJames](#)

[desertsun.com](http://desertsun.com)

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/29/2018 7:15:53 PM  
**To:** Daguiillard, Robert [Daguiillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Media query -- methylene chloride

Ok

---

**From:** Daguiillard, Robert  
**Sent:** Thursday, March 29, 2018 3:02 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Media query -- methylene chloride

Molly, Mike: Same as earlier?

Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguiillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Hopkins, Jamie [mailto:jhopkins@publicintegrity.org]  
**Sent:** Thursday, March 29, 2018 3:00 PM  
**To:** Daguiillard, Robert <Daguiillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Media query -- methylene chloride

Hi, Robert, I’m working on a quick-turnaround piece about South Carolina’s senators and one congressman calling on EPA to act on the proposed methylene chloride rule. (I’ve attached the letter in case you haven’t seen it.)

Would the EPA like to comment? My deadline is **today at 4 p.m.**

Can’t recall now if I sent you the link to the story we corresponded about earlier – here it is: <https://www.publicintegrity.org/2018/03/26/21626/epa-planned-ban-deadly-paint-stripping-chemical-will-it-follow-through> (and here’s the version Slate co-published: <https://slate.com/technology/2018/03/will-the-epa-ban-methylene-chloride.html>)

Best,

Jamie

---

**From:** Hopkins, Jamie  
**Sent:** Thursday, March 22, 2018 9:04 AM  
**To:** Daguiillard, Robert <Daguiillard.Robert@epa.gov>

Cc: Press <Press@epa.gov>  
Subject: RE: Media query -- methylene chloride

Good morning, just wanted to make sure you saw these questions from Tuesday:

---

From: Hopkins, Jamie  
Sent: Tuesday, March 20, 2018 1:26 PM  
To: Daguillard, Robert <Daguillard.Robert@epa.gov>  
Cc: Press <Press@epa.gov>  
Subject: Re: Media query -- methylene chloride

Thanks! Could you clarify two things:

- 1) Does the EPA still intend to finalize the current NMP/methylene chloride rule at some point?
- 2) How long does the EPA currently expect the NMP/methylene chloride rule will take to finalize?

Many thanks.

Jamie

---

From: Daguillard, Robert <Daguillard.Robert@epa.gov>  
Sent: Tuesday, March 20, 2018 1:21:12 PM  
To: Hopkins, Jamie  
Cc: Press  
Subject: RE: Media query -- methylene chloride

Jamie, for attribution to “an EPA spokesperson,” please:

- 1. I see that the NMP/methylene chloride rule, which was a “proposed rule” in the spring 2017 regulatory agenda, was changed to a “Long-term Action” in the most recent regulatory agenda. Does this mean the proposal has been shelved?  
**Response:** The Regulatory Plan of the Unified Agenda contains the regulatory priority actions that agencies expect to take in the coming year. The status changed because the Agency felt that more time was needed to consider how best to analyze and address any risks from these chemicals. Given that these actions were not anticipated to finalize within 12 months, they were removed from the Unified Agenda. The agency is currently considering the comments received in response to the proposal.
- 2. Methylene chloride is one of the 10 chemicals on the list for the first risk evaluations under the revised TSCA law. I’m not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete”

**Response:** We plan to finalize the risk evaluations by late 2019. If at the end of the risk evaluation process, EPA determines that a chemical presents an unreasonable risk to health or the environment, the chemical must immediately move to risk management action under TSCA. [Read more.](#)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP) (M)

**From:** Hopkins, Jamie [<mailto:jhopkins@publicintegrity.org>]  
**Sent:** Friday, March 16, 2018 10:46 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Media query -- methylene chloride

Couple things I should add to the question pile:

1. I see that the NMP/methylene chloride rule, which was a “proposed rule” in the spring 2017 regulatory agenda, was changed to a “Long-term Action” in the most recent regulatory agenda. Does this mean the proposal has been shelved?
2. Methylene chloride is one of the [10 chemicals](#) on the list for the first risk evaluations under the revised TSCA law. I’m not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete?

Thank you!

Jamie

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Friday, March 16, 2018 10:36 AM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Subject:** Re: Media query -- methylene chloride

Kewl. Thanks.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP) (M)

  
202-564-6618 (O)

On Mar 16, 2018, at 10:31 AM, Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)> wrote:

Yup, my deadline is Monday at 3 p.m.

Thanks!

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Friday, March 16, 2018 10:30 AM  
**To:** Hopkins, Jamie <jhopkins@publicintegrity.org>  
**Subject:** Re: Media query -- methylene chloride

Hey Jamie, I'm afraid you're right. My bad.

Deadline? Are you writing for publication soon?

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP) (M)

  
202-564-6618 (O)

On Mar 16, 2018, at 10:24 AM, Hopkins, Jamie <jhopkins@publicintegrity.org> wrote:

Hi, I'm re-upping this request because it probably got lost in the shuffle earlier this week:

**From:** Hopkins, Jamie  
**Sent:** Wednesday, March 14, 2018 10:53 AM  
**To:** 'daguillard.robert@epa.gov' <daguillard.robert@epa.gov>  
**Subject:** Media query -- methylene chloride

Hi, hope you're well. Could you update me on the status and expected timeline of the proposed TSCA rulemaking for methylene chloride and NMP? Also, has there been action on this proposal since the extension of the comment deadline last April?

Many thanks.

Best,

Jamie

-----  
Jamie Smith Hopkins  
Reporter  
The Center for Public Integrity  
910 17th Street NW, 7th Floor  
Washington, DC 20006  
Office: 202-481-1231  
Follow me @jsmithhopkins  
Read our journalism at [www.publicintegrity.org](http://www.publicintegrity.org)



Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/19/2018 8:38:21 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW Car and Driver (David Muller) ): Stop-start engines and EPA ratings - ASAP

Ok. Please send on background.

---

**From:** Daguillard, Robert  
**Sent:** Monday, March 19, 2018 4:29 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW Car and Driver (David Muller) ): Stop-start engines and EPA ratings - ASAP

#### SUMMARY

The program realizes this answer is long, but points out the reporter is taking a detailed look at the issue. David Muller – Car and Driver – [dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)

#### RESPONSE

# Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard

Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Muller, David [<mailto:dmuller@hearstautos.com>]  
**Sent:** Monday, March 19, 2018 10:44 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Media query: Stop-start engines and EPA ratings

Hi Robert,

Thanks for sending this very helpful information. I have a follow-up question: What does it mean that additional "off-cycle" emissions credits are available for the non-latching systems? What are those credits and how are they applied?

Thanks again,  
David

**David Muller**  
Consumer Editor | Car and Driver  
1585 Eisenhower Place | Ann Arbor, MI 48108  
**O 734.352.8062** | F 734.352.4300  
[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com) | [www.CARandDRIVER.com](http://www.CARandDRIVER.com)  
**HEARST** *magazines*

Please consider the environment before printing this e-mail.

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**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Wednesday, March 14, 2018 at 1:51 PM  
**To:** "Muller, David" <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Media query: Stop-start engines and EPA ratings

David, on background, please:

A: For fuel economy label testing purposes, cars or light trucks that have non-latching start/stop systems are tested in the laboratory with the system engaged. So during the drive cycles start/stop engages when the car is at a stop in the drive cycle. The fuel economy results are calculated from the results of the laboratory emissions testing program. There is no 4-5% improvement factor applied, the emissions benefits are directly measured from the car's performance on the test.

For cars or trucks with latching start/stop systems, vehicles are tested in the laboratory first with the start/stop system engaged and then again with the system disengaged. The average of the resulting fuel economy values is what is reflected on car's FE sticker label.

For purposes of manufacturer compliance with CAFÉ and the GHG emissions standards, additional "off-cycle" emissions credits for compliance are available for non-latching start/stop systems but are not available for latching systems.

Definition of "off cycle credits" that can be found on [page 41](#).

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Muller, David [<mailto:dmuller@hearstautos.com>]  
**Sent:** Wednesday, March 14, 2018 10:54 AM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** Re: Media query: Stop-start engines and EPA ratings

Ok, thanks. Also, what are GHG off-cycle credits?

Best,  
David

**David Muller**  
Consumer Editor | Car and Driver  
1585 Eisenhower Place | Ann Arbor, MI 48108  
**O 734.352.8062** | F 734.352.4300  
[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com) | [www.CARandDRIVER.com](http://www.CARandDRIVER.com)

**HEARST** *magazines*

Please consider the environment before printing this e-mail.

---

**From:** "Daguiard, Robert" <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Date:** Wednesday, March 14, 2018 at 8:47 AM  
**To:** "Muller, David" <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)>  
**Subject:** RE: Media query: Stop-start engines and EPA ratings

David, I apologize profusely, but hold for just a minute, please. I may have sent you our response before our program fully vetted it. I'll circle back soonest.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Daguiard, Robert  
**Sent:** Wednesday, March 14, 2018 8:45 AM  
**To:** 'Muller, David' <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Media query: Stop-start engines and EPA ratings

David, for attribution, if required, to "an EPA spokesperson," please:

You are correct: Latching start/stop systems are not eligible for GHG off-cycle credits.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Muller, David [<mailto:dmuller@hearstautos.com>]  
**Sent:** Tuesday, March 13, 2018 2:02 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** Re: Media query: Stop-start engines and EPA ratings

Hi Robert,

Just checking in to see where we're at with this and if there's anything else you need from me.

Thanks,  
David

---

**From:** "Daguiard, Robert" <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Date:** Monday, March 12, 2018 at 5:30 PM  
**To:** "Muller, David" <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)>  
**Subject:** Re: Media query: Stop-start engines and EPA ratings

That's super helpful. Thanks.

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
**Ex. 6 Personal Privacy (PP)** (M)  
202-564-6618 (O)

On Mar 12, 2018, at 5:30 PM, Muller, David <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)> wrote:

I'd like to at the very least confirm that the EPA requires automakers' stop-start systems to be non-latching if they're deactivated, in exchange for more favorable fuel economy ratings. For background, there is a portion of the [EPA site](#) that says:

- **Start-Stop Systems:** Start-stop systems (sometimes called idle-stop, smart start, or other manufacturer-specific names) save fuel by turning off the engine when the vehicle comes to a stop and automatically starting it back up when you step on the accelerator. Start-stop can improve fuel economy by 4%–5% and provides the biggest benefit in conditions where the engine would otherwise be idling, such as stop-and-go city driving.

Does the EPA waive this 4-5% improvement in its fuel economy ratings if there is a latching deactivation switch for the stop-start? That's what I've been led to believe - that if automakers want to be able to have a deactivation switch for stop-start engines in their cars, it must be non-latching, otherwise the EPA will not consider the fuel economy benefit of a stop-start system in its ratings.

Happy to answer any questions if I'm not making sense.

Thanks again,  
David

---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Monday, March 12, 2018 at 5:14 PM  
**To:** "Muller, David" <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)>  
**Subject:** Re: Media query: Stop-start engines and EPA ratings

Mid-morning? But I have to tell you, I'm likely to refer your questions to the program office, as I'm not a subject matter expert. The more you can tell me on an email, the more easily I can route your inquiry.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Mar 12, 2018, at 4:43 PM, Muller, David <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)> wrote:

Hi Robert

I don't necessarily have specific questions yet; I'm just trying to make sure I understand the agreement the EPA apparently has with automakers as it relates to non-latching start-stop deactivation. I'm not in a huge rush and can give you a call tomorrow morning. Is there a good time for you?

Thanks,  
David

**David Muller**  
Consumer Editor | Car and Driver  
1585 Eisenhower Place | Ann Arbor, MI 48108  
**O 734.352.8062** | F 734.352.4300  
[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com) | [www.CARandDRIVER.com](http://www.CARandDRIVER.com)  
<image001.png>  
Please consider the environment before printing this e-mail.

---

**From:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Date:** Monday, March 12, 2018 at 4:35 PM

**To:** "Muller, David" <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)>

**Subject:** Re: Media query: Stop-start engines and EPA ratings

Hullo David,

I'm out of the office at the moment. Can we talk first thing tomorrow AM?  
Better yet, do you have specific questions you can send?

Robert Daguiard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Mar 12, 2018, at 4:32 PM, Muller, David <[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com)> wrote:

Hi Robert,

I'm working on a story about stop-start engines for Car and Driver. Specifically, I'm telling readers why some automakers have a non-latching switch that deactivates stop-start technology. I understand that by making the switch non-latching - meaning that stop-start is reengaged each time the car cycles back on – it allows the automakers to claim a boost in EPA fuel economy ratings. Could you please get in touch with me about this when you have a moment?

Thanks and best,  
David

**David Muller**

Consumer Editor | Car and Driver  
1585 Eisenhower Place | Ann Arbor, MI 48108

**O 734.352.8062** | F 734.352.4300

[dmuller@hearstautos.com](mailto:dmuller@hearstautos.com) | [www.CARandDRIVER.com](http://www.CARandDRIVER.com)

<image002.png>

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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/2/2018 4:22:05 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Just saw your "on background" notation

They can attribute it to an epa spokesperson if necessary

Sent from my iPhone

On Mar 2, 2018, at 11:21 AM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Can we let her use this for attribution? This is what I suggest. Can we attribute to Liz or Jahan?  
Everything else is "factual."

## Ex. 5 Deliberative Process (DP)

---

**From:** Heather Gooch [<mailto:hgooch@NORTHCOASTMEDIA.NET>]  
**Sent:** Friday, March 02, 2018 11:17 AM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** Just saw your "on background" notation  
**Importance:** High

Can we use anything you responded to on the record? Please advise, and thanks!  
Best Regards,  
Heather Gooch, Editor  
Pest Management Professional magazine  
Direct line: 330.321.9754  
[MyPMP.net](http://MyPMP.net)

---

**From:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Date:** Friday, March 2, 2018 at 11:04 AM  
**To:** Heather Gooch <[hgooch@northcoastmedia.net](mailto:hgooch@northcoastmedia.net)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Interview with the EPA about Amazon case

Heather,

**On background:**

**1. What other kinds of FIFRA violations regarding illegal pesticide sales and distribution has the EPA seen in the last five years?**

You can search the Enforcement and Compliance History Online (ECHO) database for more specific examples and details of EPA's FIFRA enforcement actions using this [link](#).

Click on the icon, "Explore Facilities" then click on the "EPA Enforcement Action Case Search" link under the heading entitled "Find Enforcement Cases." Generally, the types of FIFRA violations EPA or states find include: (a) pesticide misuse, (b) the distribution (including imports) of pesticides that are unregistered or misbranded (e.g., with false or misleading claims), and (c) the distribution or sale of pesticides that differ in composition from what EPA registered.

**2. When an industry manufacturer or other entity reports seeing a violation, what does the agency recommend as a course of action?**

States (except for Wyoming) have primary enforcement responsibility for pesticide misuse violations. These types of violations can be reported to the respective state government office that regulates pesticides (typically the state's department of agriculture). Other FIFRA violations can be reported to EPA through this [webpage](#).

**3. Is this settlement just the tip of the iceberg of this problem? How can the pesticide industry regain control, especially in this increasingly global and online world?**

The Internet is a market for the distribution and sale of pesticide products and much of it is successfully regulated under FIFRA. It is the seller's responsibility to ensure that pesticides sold over the Internet are properly labeled and registered in accordance with FIFRA. The Amazon case is an important one because it sends a strong message that will have a deterrent effect.

**4. Do you have any recommendations for exterminator firms in particular about how to stay vigilant against FIFRA violations — how to report a violation, etc.?**

"Exterminator firms" are commercial applicators and are regulated by EPA and the states. It's important for them to be knowledgeable about the law that applies to that business and fully comply with applicable regulations. If a commercial applicator becomes aware of a potential violation, they can report it to the relevant state or EPA as set forth in answer to question 2.

**5. Is there anything else you'd like to add on this subject?**

Information regarding the process to register pesticide products can be found at [here](#). To learn how facilities are complying with environmental laws and for more information regarding EPA's compliance monitoring programs, and compliance assistance centers go to [here](#).

---

**From:** Heather Gooch [<mailto:hgooch@NORTHCOASTMEDIA.NET>]

**Sent:** Thursday, March 01, 2018 5:22 PM

**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Cc:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

**Subject:** Re: Interview with the EPA about Amazon case

Tomorrow at 3 pm. Thank you!

Get [Outlook for iOS](#)

---



**From:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Sent:** Thursday, March 1, 2018 5:17:49 PM  
**To:** Heather Gooch  
**Cc:** Lynn, Tricia  
**Subject:** Re: Interview with the EPA about Amazon case

Hi Heather, what's your firm deadline?

On Mar 1, 2018, at 5:16 PM, Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Hi Heather—

My apologies, but nothing has come in on this today. I'm cc'ing my colleague, Enesta Jones, in case something comes in tomorrow while I'm out.

Thanks so much for your patience,

Tricia

---

**From:** Heather Gooch [<mailto:hgooch@NORTHCOASTMEDIA.NET>]  
**Sent:** Thursday, March 01, 2018 1:44 PM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Re: Interview with the EPA about Amazon case

Good afternoon, Tricia,

I was wondering whether you had an update for me regarding the interview questions. Thanks in advance!

Best Regards,  
Heather Gooch, Editor  
Pest Management Professional magazine  
Direct line: 330.321.9754  
[MyPMP.net](http://MyPMP.net)

---

**From:** "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Date:** Friday, February 23, 2018 at 1:13 PM  
**To:** Heather Gooch <[hgooch@northcoastmedia.net](mailto:hgooch@northcoastmedia.net)>  
**Subject:** RE: Interview with the EPA about Amazon case

Thank you, Heather!

---

**From:** Heather Gooch [<mailto:hgooch@NORTHCOASTMEDIA.NET>]  
**Sent:** Friday, February 23, 2018 1:09 PM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Re: Interview with the EPA about Amazon case

Thank you, Tricia. Please see my responses in red.

2. When an industry manufacturer or other entity reports seeing a violation, what does the agency recommend as a course of action? Is this asking how does someone report a potential violation to EPA? Yes, how would one of our readers (primarily an owner of an exterminating company, but even a structural pest management industry manufacturer, distributor or

researcher) go about reporting a potential violation to your agency? Should they do anything else besides contact the EPA?

3. Is this settlement just the tip of the iceberg of this problem? How can the pesticide industry regain control, especially in this increasingly global and online world? This is very broad. What do “tip of the iceberg” and “regain control” mean? And what is included in the “pesticide industry?” By “tip of the iceberg,” we are wanting to know whether Amazon’s settlement with the EPA is the first of many such planned actions, cracking down on FIFRA violations in the structural pesticide arena. We are hearing that certain resellers are selling product online to purchasers in states where the product is not registered. We are also hearing that certain resellers are rebranding product with labels with incorrect and/or misleading information. My question is purposely vague because we don’t know what we don’t know, as it were. But we do know that the online sale of pesticides brings a whole new dimension to gatekeeping for keeping pesticides out of the hands of unlicensed users. We are primarily interested in the urban/structural pest control segment, rather than T&O, aquatic or agricultural. But if the agency’s plans for FIFRA violation oversight in the future means adding enforcement personnel, for example, that would be of interest to us.

I hope these clarifications help. Thanks again for any insights you can provide us!

Best Regards,  
Heather Gooch, Editor  
Pest Management Professional magazine  
Direct line: 330.321.9754  
[MyPMP.net](http://MyPMP.net)

---

**From:** "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Date:** Friday, February 23, 2018 at 12:56 PM  
**To:** Heather Gooch <[hgooch@northcoastmedia.net](mailto:hgooch@northcoastmedia.net)>  
**Subject:** RE: Interview with the EPA about Amazon case

Hi Heather—

Our subject matter experts are looking for a bit of clarification about some of your questions:

2. When an industry manufacturer or other entity reports seeing a violation, what does the agency recommend as a course of action? Is this asking how does someone report a potential violation to EPA?

3. Is this settlement just the tip of the iceberg of this problem? How can the pesticide industry regain control, especially in this increasingly global and online world? This is very broad. What do “tip of the iceberg” and “regain control” mean? And what is included in the “pesticide industry?”

Can you please say more to help our SMEs get you the right information?

Thanks so much,

Tricia

---

**From:** Heather Gooch [<mailto:hgooch@NORTHCOASTMEDIA.NET>]  
**Sent:** Thursday, February 22, 2018 4:44 PM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** Re: Interview with the EPA about Amazon case

Thank you, Tricia!  
Best Regards,  
Heather Gooch, Editor  
Pest Management Professional magazine  
Direct line: 330.321.9754  
[MyPMP.net](http://MyPMP.net)

---

**From:** "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Date:** Thursday, February 22, 2018 at 4:39 PM  
**To:** Heather Gooch <[hgooch@northcoastmedia.net](mailto:hgooch@northcoastmedia.net)>  
**Subject:** RE: Interview with the EPA about Amazon case

Hi Heather—

I'm just writing to let you know that your EPA inquiry has made its way to me and that I've sent it on to the program for a response. I'll be back in touch as soon as possible.

Best,

Tricia

---

**From:** Heather Gooch [<mailto:hgooch@NORTHCOASTMEDIA.NET>]  
**Sent:** Thursday, February 22, 2018 7:31 AM  
**To:** Dunbar, Bill <[dunbar.bill@epa.gov](mailto:dunbar.bill@epa.gov)>  
**Subject:** Re: Interview with the EPA about Amazon case

Thank you, Bill! I'd love to have responses by Feb. 28 if possible. And again, I'm happy to send for an accuracy review so there are no surprises in print.

Best Regards,  
Heather Gooch, Editor  
Pest Management Professional magazine  
Direct line: 330.321.9754  
[MyPMP.net](http://MyPMP.net)

---

**From:** "Dunbar, Bill" <[dunbar.bill@epa.gov](mailto:dunbar.bill@epa.gov)>  
**Date:** Thursday, February 22, 2018 at 10:29 AM  
**To:** Heather Gooch <[hgooch@northcoastmedia.net](mailto:hgooch@northcoastmedia.net)>  
**Subject:** Re: Interview with the EPA about Amazon case

Thanks Heather. We'll forward this along to the pesticides folks and see what they can come up with. What's your deadline?

-Bill

Bill Dunbar  
EPA Region 10

On Feb 22, 2018, at 7:05 AM, Heather Gooch <[hgooch@NORTHCOASTMEDIA.NET](mailto:hgooch@NORTHCOASTMEDIA.NET)> wrote:

Good morning, Bill,

We're a trade magazine that reaches more than 34,000 readers in the professional pest management industry. We're following the issues posed by the EPA's recent settlement with Amazon for illegal pesticide distribution, and recently ran your press release on our website (<http://www.mypmp.net/2018/02/16/breaking-epa-settles-with-amazon-for-illegal-pesticide-distribution/>). For our March print issue, however, we are exploring what this settlement means in the bigger picture of ongoing industry violations of FIFRA — things like online sales of pesticides to states not yet registered for the product, false claims, relabeling/rebranding and other issues.

Below are some questions I'd love to have answered by you or another appropriate EPA representative. We are happy to show you a copy of the article for an accuracy review before it goes to the printer. With that in mind:

1. What other kinds of FIFRA violations regarding illegal pesticide sales and distribution has the EPA seen in the last five years?
2. When an industry manufacturer or other entity reports seeing a violation, what does the agency recommend as a course of action?
3. Is this settlement just the tip of the iceberg of this problem? How can the pesticide industry regain control, especially in this increasingly global and online world?
4. Do you have any recommendations for exterminator firms in particular about how to stay vigilant against FIFRA violations — how to report a violation, etc.?
5. Is there anything else you'd like to add on this subject?

Best Regards,  
Heather Gooch, Editor  
Pest Management Professional magazine  
Direct line: 330.321.9754  
[MyPMP.net](http://MyPMP.net)

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/20/2018 7:07:45 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW: Center for Public Integrity - Jamie Hopkins -- methylene chloride - 3/21

**Ex. 5 Deliberative Process (DP)**

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, March 20, 2018 2:43 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Center for Public Integrity - Jamie Hopkins -- methylene chloride - 3/21

SUMMARY: Follow-up response

**Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Hopkins, Jamie [mailto:jhopkins@publicintegrity.org]  
**Sent:** Tuesday, March 20, 2018 1:26 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Media query -- methylene chloride

Thanks! Could you clarify two things:

- 1) Does the EPA still intend to finalize the current NMP/methylene chloride rule at some point?
- 2) How long does the EPA currently expect the NMP/methylene chloride rule will take to finalize?

Many thanks.

Jamie

---

**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Sent:** Tuesday, March 20, 2018 1:21:12 PM

**To:** Hopkins, Jamie

**Cc:** Press

**Subject:** RE: Media query -- methylene chloride

Jamie, for attribution to “an EPA spokesperson,” please:

1. I see that the NMP/methylene chloride rule, which was a “proposed rule” in the spring 2017 regulatory agenda, was changed to a “Long-term Action” in the most recent regulatory agenda. Does this mean the proposal has been shelved?

**Response:** The Regulatory Plan of the Unified Agenda contains the regulatory priority actions that agencies expect to take in the coming year. The status changed because the Agency felt that more time was needed to consider how best to analyze and address any risks from these chemicals. Given that these actions were not anticipated to finalize within 12 months, they were removed from the Unified Agenda. The agency is currently considering the comments received in response to the proposal.

2. Methylene chloride is one of the 10 chemicals on the list for the first risk evaluations under the revised TSCA law. I’m not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete”

**Response:** We plan to finalize the risk evaluations by late 2019. If at the end of the risk evaluation process, EPA determines that a chemical presents an unreasonable risk to health or the environment, the chemical must immediately move to risk management action under TSCA. [Read more.](#)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Hopkins, Jamie [<mailto:jhopkins@publicintegrity.org>]

**Sent:** Friday, March 16, 2018 10:46 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** RE: Media query -- methylene chloride

Couple things I should add to the question pile:

1. I see that the NMP/methylene chloride rule, which was a “proposed rule” in the spring 2017 regulatory agenda, was changed to a “Long-term Action” in the most recent regulatory agenda. Does this mean the proposal has been shelved?

2. Methylene chloride is one of the 10 chemicals on the list for the first risk evaluations under the revised TSCA law. I’m not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene

chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete?

Thank you!

Jamie

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Friday, March 16, 2018 10:36 AM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Subject:** Re: Media query -- methylene chloride

Kewl. Thanks.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP) (M)

  
202-564-6618 (O)

On Mar 16, 2018, at 10:31 AM, Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)> wrote:

Yup, my deadline is Monday at 3 p.m.

Thanks!

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Friday, March 16, 2018 10:30 AM  
**To:** Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)>  
**Subject:** Re: Media query -- methylene chloride

Hey Jamie, I'm afraid you're right. My bad.

Deadline? Are you writing for publication soon?

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  

Ex. 6 Personal Privacy (PP) (M)

  
202-564-6618 (O)

On Mar 16, 2018, at 10:24 AM, Hopkins, Jamie <[jhopkins@publicintegrity.org](mailto:jhopkins@publicintegrity.org)> wrote:

Hi, I'm re-upping this request because it probably got lost in the shuffle earlier this week:

---

**From:** Hopkins, Jamie  
**Sent:** Wednesday, March 14, 2018 10:53 AM

**To:** 'daguillard.robort@epa.gov' <daguillard.robort@epa.gov>

**Subject:** Media query -- methylene chloride

Hi, hope you're well. Could you update me on the status and expected timeline of the proposed TSCA rulemaking for methylene chloride and NMP? Also, has there been action on this proposal since the extension of the comment deadline last April?

Many thanks.

Best,

Jamie

-----  
Jamie Smith Hopkins  
Reporter  
The Center for Public Integrity  
910 17th Street NW, 7th Floor  
Washington, DC 20006  
Office: 202-481-1231  
Follow me @jsmithhopkins  
Read our journalism at [www.publicintegrity.org](http://www.publicintegrity.org)



Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/13/2018 6:04:30 PM  
**To:** Daguiillard, Robert [Daguiillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW: Auto News (Sebastian Blanco) - Fuel Economy Sticker - 2/13

Edited below. Please attribute to an EPA spokesperson

-----Original Message-----  
From: Daguiillard, Robert  
Sent: Tuesday, February 13, 2018 11:23 AM  
To: Press <Press@epa.gov>  
Subject: RE: FOR REVIEW: Auto News (Sebastian Blanco) - Fuel Economy Sticker - 2/13

MORE INFO: The program is recommending **Ex. 5 Deliberative Process (DP)**

-----Original Message-----  
From: Daguiillard, Robert  
Sent: Tuesday, February 13, 2018 11:09 AM  
To: Press <Press@epa.gov>  
Subject: FOR REVIEW: Auto News (Sebastian Blanco) - Fuel Economy Sticker - 2/13

SUMMARY  
The reporter's follow-up questions to yesterday's backgrounder. **Ex. 5 Deliberative Process (DP)**  
Ex. 5 Deliberative Process (DP) The program's response emphasizes **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)** Sebastian Blanco - Automotive News - sebastian.blanco@gmail.com

1.) Does the EPA see any possibility for different window stickers for vehicles with different powertrains, specifically a label just for all-electric vehicles or plug-in hybrids or hydrogen fuel cell vehicles? What are the legal constraints on this? Lisa had a good response to this, saying that the benefit of the label is for shoppers to compare vehicles of any type, but that things can always change in the future.

A1. **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

Q2. What is the process for outside groups to start the discussion for a new label? I'm guessing that the document you referred to is this one: [https://www.federalregister.gov/uploads/2011/01/the\\_rulemaking\\_process.pdf](https://www.federalregister.gov/uploads/2011/01/the_rulemaking_process.pdf), and I have the gist of the process thanks to what Lisa said, but if there could be a quote that says something like, "we are always open to revising the fuel economy label based on the process laid out in regulation," that would be helpful.

A2. **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)**

-----Original Message-----  
From: Sebastian Blanco [mailto:**Ex. 6 Personal Privacy (PP)**]  
Sent: Monday, February 12, 2018 12:39 PM  
To: Daguiillard, Robert <Daguiillard.Robert@epa.gov>  
Subject: Re: Auto News reporter inquiry

Hello Robert,

Thanks for setting up the interview today. Here are some of the questions I'd like attributable statements to, if at all possible:

1.) Does the EPA see any possibility for different window stickers for vehicles with different powertrains, specifically a label just for all-electric vehicles or plug-in hybrids or hydrogen fuel cell

vehicles? what are the legal constraints on this? Lisa had a good response to this, saying that the benefit of the label is for shoppers to compare vehicles of any type, but that things can always change in the future.

2.) What is the process for outside groups to start the discussion for a new label? I'm guessing that the document you referred to is this one: [https://www.federalregister.gov/uploads/2011/01/the\\_rulemaking\\_process.pdf](https://www.federalregister.gov/uploads/2011/01/the_rulemaking_process.pdf), and I have the gist of the process thanks to what Lisa said, but if there could be a quote that says something like, "we are always open to revising the fuel economy label based on the process laid out in regulation," that would be helpful.

I was also curious about the original comments submitted by interested parties. In the main document I've been looking at for this history, "Revisions and Additions to Motor Vehicle Fuel Economy Label Response to Comments" from May 2011, (aka: P100BBGU.pdf) there are many summaries of submitted comments, with a note at the end like "EPA-HQ-OAR-2009-0865-6924.1, p. 2". I can't find these referenced comments online, but if they are readily available, there are a few I'd like to get the originals for.

Also, there were a few items to nail down that Lisa wasn't 100% sure on: where is the zip-code specific calculator on the fuel economy website and how long did the label revision process take (many years, but if you have a more precise timeline, that would be great).

Thank you again,

Sebastian

>>>> Begin forwarded message:

>>>>

>>>> From: Sebastian Blanco <[sebastian.blanco@epa.gov](mailto:sebastian.blanco@epa.gov)> (Ex. 6 Personal Privacy (PP))

>>>> Date: February 7, 2018 at 6:58:54 PM EST

>>>> To: snapp.lisa@epa.gov

>>>>

>>>> Hello Lisa,

>>>>

>>>> My name is Sebastian Blanco, and I'm working on a longer piece for  
>>>> Automotive News about the EPA and DOE's revised fuel economy  
>>>> vehicle window sticker, specifically how it does or doesn't  
>>>> display useful information for car shoppers about the benefits of an EV.  
>>>> I've been reading through some of the PDF documents on the EPA's  
>>>> website about the discussion that went into the revisions, and  
>>>> want to write up the history of how the MPGe and EV range number  
>>>> were added to today's sticker. After numerous emails with people  
>>>> at the EPA and DOE, your name was given to me as the person who  
>>>> would be best to speak to about this. I both have some questions  
>>>> about the sticker and the process and I'd just like to chat with  
>>>> someone for stories about how the MPGe and range numbers made it on the stickers.

>>>>

>>>> Hopefully you can help me out. My deadline is Monday, so hopefully

>>>> you have time to talk this week Thursday or Friday.

>>>>

>>>> Sebastian

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/8/2018 11:26:13 PM  
**To:** Khimm, Suzy (NBCUniversal) [Suzy.Khimm@nbcuni.com]  
**CC:** Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** Re: Request for comment from NBC

Here you go:

You can use the following quotes for attribution below:

“EPA is focusing on finding efficient ways to deter noncompliance and return facilities to compliance with the law. EPA is increasing the deterrent effect of EPA’s enforcement program through criminal enforcement actions to address the most egregious cases.” –Liz Bowman EPA spokesperson

“Large enforcement cases always span multiple years. Today’s announcement is about the accomplishments of the agency, including the great work the enforcement staff has performed throughout FY 2017.” – Liz Bowman EPA spokesperson

Sent from my iPhone

On Feb 8, 2018, at 6:04 PM, Khimm, Suzy (NBCUniversal) <Suzy.Khimm@nbcuni.com> wrote:

Circling back on this — I very much would like to include these quotations in my story, but I need a specific individual to attribute them to, per our company’s policy.

Thanks.

---

Suzy Khimm  
National Reporter  
NBC News  
Office: (202) 885-4411  
Cell: Ex. 6 Personal Privacy (PP)

---

**From:** Suzy Khimm <suzy.khimm@nbcuni.com>  
**Date:** Thursday, February 8, 2018 at 5:28 PM  
**To:** Molly Block <block.molly@epa.gov>, "press@epa.gov" <press@epa.gov>  
**Cc:** "Bowman, Liz" <Bowman.Liz@epa.gov>  
**Subject:** RE: Request for comment from NBC

Who should I attribute these statements to?

NBC policy requires attribution of quotes to named individuals, unless there is a pressing reason to withhold attribution.

---

Suzy Khimm  
National Reporter  
NBC News  
Office: (202) 885-4411  
Cell: Ex. 6 Personal Privacy (PP)

---

**From:** Molly Block <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Date:** Thursday, February 8, 2018 at 5:19 PM  
**To:** Suzy Khimm <[suzy.khimm@nbcuni.com](mailto:suzy.khimm@nbcuni.com)>, "[press@epa.gov](mailto:press@epa.gov)" <[press@epa.gov](mailto:press@epa.gov)>  
**Cc:** "Bowman, Liz" <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Subject:** [EXTERNAL] RE: Request for comment from NBC

See response below in blue.

---

**From:** Khimm, Suzy (NBCUniversal) [<mailto:Suzy.Khimm@nbcuni.com>]  
**Sent:** Thursday, February 8, 2018 3:37 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Cc:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Subject:** Request for comment from NBC

Hello, I'm writing about the EPA's enforcement results from FY 2017 and had two quick questions. My deadline is 5:30 pm today.

1) The numbers show a significant drop-off in enforcement actions for FY 2017 —the number of EPA criminal cases opened, defendants charged, civil cases initiated, and federal inspections/evaluations are at their lowest levels in 10 years.

What is the reason for the significant drops, and do they indicate that the EPA is backing off on strong enforcement?

"EPA is not backing off of enforcement. EPA is focusing on finding efficient ways to deter noncompliance and return facilities to compliance with the law. EPA is increasing the deterrent effect of EPA's enforcement program through criminal enforcement actions to address the most egregious cases." — EPA spokesperson

On background: The FY 2017 results show the continuation of a multi-year trend of reducing the number of individual federal inspections and federal enforcement actions.

EPA is also finding ways to maximize the effectiveness of its civil enforcement actions to return facilities to compliance. In FY 2017, EPA enforcement actions resulted in requirements for companies to invest nearly \$20 billion in actions and equipment to control pollution. EPA's civil enforcement actions also deter future violations and ensure a level playing field for the regulated community by assessing penalties, including penalties to cover the economic benefit of noncompliance. EPA's website provides details on numerous criminal and civil cases from FY 2017 that exemplify EPA's commitment to enforcement and compliance assurance: <https://www.epa.gov/enforcement/enforcement-annual-results-fiscal-year-2017>

2) The result notes that administrative/civil penalties, criminal penalties, and commitments by private parties to clean up sites have all increased. However, many of these penalties were from cases that were already largely concluded, with settlements publicly agreed upon, before the Trump administration took over (e.g. the \$2.8 billion criminal fine for VW, announced on January 11, 2017). As a result, some critics say that Administration Pruitt and the current administration shouldn't be taking credit for these accomplishments. Any response?

"Large enforcement cases always span multiple years. Today's announcement is not about taking 'credit,' it is about celebrating the accomplishments of the agency and the great work the enforcement staff has performed during FY 2017." – EPA spokesperson

Thanks,  
Best, Suzy

---

Suzy Khimm  
National Reporter  
NBC News  
Office: (202) 885-4411  
Cell: Ex. 6 Personal Privacy (PP)

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/20/2018 5:56:54 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Would you reach out to this reporter?

Please send on background. Thanks!

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, March 20, 2018 1:56 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Would you reach out to this reporter?

Thanks, Molly. Here's the proposed response to #1

**Ex. 5 Deliberative Process (DP)**

Should we: **Ex. 5 Deliberative Process (DP)**

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Block, Molly  
**Sent:** Tuesday, March 20, 2018 1:27 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Would you reach out to this reporter?

For Q's 2 and 3, **Ex. 5 Deliberative Process (DP)**

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, March 20, 2018 12:56 PM  
**To:** DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Davis, Alison <Davis.Alison@epa.gov>  
**Cc:** Bremer, Kristen <Bremer.Kristen@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Would you reach out to this reporter?

Right away. Let me post a news release to the Newsroom first.

Third Floor, do you want to take a crack at Qs 2 and 3?

Can you let me know what is the status of the Integrated Science Assessment for particulate matter, and the current expected timeline? According to integrated review plan that was published in December 2016, the planned timeline for the draft ISA was last fall. <https://www3.epa.gov/ttn/naaqs/standards/pm/data/201612-final-integrated-review-plan.pdf>

Secondly, Mr. Pruitt is reported to be embarking on science reform at the agency--is that an effort that is expected to affect the particulate matter ISA?

Asked another way--some of the health studies on particulate matter rely on underlying data that have not been made public--is that a concern for EPA administrators, and how is the agency planning on addressing that concern?

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** DeLuca, Isabel  
**Sent:** Tuesday, March 20, 2018 12:42 PM  
**To:** Davis, Alison <[Davis.Alison@epa.gov](mailto:Davis.Alison@epa.gov)>; Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Cc:** Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>  
**Subject:** RE: Would you reach out to this reporter?

Hi Robert,

We think that

**Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

Thanks,  
Isabel

---

**From:** Daguiard, Robert  
**Sent:** Monday, March 19, 2018 2:30 PM  
**To:** Davis, Alison <[Davis.Alison@epa.gov](mailto:Davis.Alison@epa.gov)>  
**Cc:** Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>; DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>  
**Subject:** RE: Would you reach out to this reporter?

Follow-up. The reporter says her deadline is Wednesday noon.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Daguillard, Robert  
**Sent:** Monday, March 19, 2018 1:48 PM  
**To:** Davis, Alison <[Davis.Alison@epa.gov](mailto:Davis.Alison@epa.gov)>  
**Cc:** Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>; DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>  
**Subject:** RE: Would you reach out to this reporter?

Thanks, Alison,

Here are the reporter's questions anyway:

Can you let me know what is the status is of the Integrated Science Assessment for particulate matter, and the current expected timeline? According to integrated review plan that was published in December 2016, the planned timeline for the draft ISA was last fall. <https://www3.epa.gov/ttn/naaqs/standards/pm/data/201612-final-integrated-review-plan.pdf>

Secondly, Mr. Pruitt is reported to be embarking on science reform at the agency--is that an effort that is expected to affect the particulate matter ISA?

Asked another way--some of the health studies on particulate matter rely on underlying data that have not been made public--is that a concern for EPA administrators, and how is the agency planning on addressing that concern?

Would you recommend punting 2 and 3 to OPA, or even ORD?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Davis, Alison  
**Sent:** Monday, March 19, 2018 12:52 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>; Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** RE: Would you reach out to this reporter?

Hey Robert –  
Here's what we can say at this time on the PM schedule:

**Ex. 5 Deliberative Process (DP)**

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**From:** Daguillard, Robert  
**Sent:** Monday, March 19, 2018 11:49 AM  
**To:** Davis, Alison <[Davis.Alison@epa.gov](mailto:Davis.Alison@epa.gov)>  
**Cc:** DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>; Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** RE: Would you reach out to this reporter?



Sure thing. We work with her a lot. I'll get in touch.

Incidentally, are we giving out any information at all on this topic? How "close hold" is it?

Happy to discuss.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Davis, Alison  
**Sent:** Monday, March 19, 2018 11:41 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Bremer, Kristen <Bremer.Kristen@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>  
**Subject:** Would you reach out to this reporter?

MaryAnn Lavelle, Inside Climate News, called one of our staff Friday with a vague message about wanting to talk about the schedule for the PM NAAQS review. Our staffer was out and has not called her back.

She only left her phone number -- Ex. 6 Personal Privacy (PP) --- but a quick Google check shows her email is [marianne.lavelle@insideclimatenews.org](mailto:marianne.lavelle@insideclimatenews.org)

Would you reach out to her and find out what she's looking for?

Thanks.

---

Alison Davis  
Senior Advisor for Public Affairs  
US EPA, Office of Air Quality Planning & Standards  
Research Triangle Park, NC 27711  
Desk: 919-541-7587  
Mobile: Ex. 6 Personal Privacy (PP)

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/8/2018 9:42:35 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW: BNA - TSCA - Deadline: 3:00 p.m. today

Good to go. But this information should be given on background not for attribution. Thanks!

---

**From:** Daguillard, Robert  
**Sent:** Thursday, February 8, 2018 4:35 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: BNA - TSCA - Deadline: 3:00 p.m. today

SUMMARY

The reporter is writing a story on the just-expired deadline for chemical companies to report all chemicals manufactured or imported over the past 10 years. **OK to attach Jahan's name, as the response contains original, brand new information?** - Pat Rizzuto - Bloomberg Environment - [prizzuto@bloombergenvironment.com](mailto:prizzuto@bloombergenvironment.com)

RESPONSE

- 1) Do you know how many chemicals were notified?

## Ex. 5 Deliberative Process (DP)

- 2) By how many companies?

### Ex. 5 Deliberative Process (DP)

- 3) If not, how long will it take to sort that out, eliminate duplicates, take other steps?

## Ex. 5 Deliberative Process (DP)

- 4) When will preliminary list be available so chemical processors know whether the chemicals they've used are on the list or if they need to notify EPA about those by their deadline Oct. 5?

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

Begin forwarded message:

**From:** "Rizzuto, Denise Pat" <[prizzuto@bloombergenvironment.com](mailto:prizzuto@bloombergenvironment.com)>  
**Date:** February 8, 2018 at 9:09:54 AM EST  
**To:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Press Inquiry about TSCA Deadline: 3:00 p.m. today

Assume I'm writing today. There's two other things we're covering that are TSCA related, and this information will be part of that package.

.....

**Pat Rizzuto**  
Chemicals Reporter

**Bloomberg Environment**

(703) 341-3741  
[prizzuto@bna.com](mailto:prizzuto@bna.com)

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Thursday, February 08, 2018 9:08 AM  
**To:** Rizzuto, Denise Pat <[prizzuto@bloombergenvironment.com](mailto:prizzuto@bloombergenvironment.com)>  
**Subject:** RE: Press Inquiry about TSCA Deadline: 3:00 p.m. today

Hey Pat,

I missed your call earlier, but I want you to know I raised the question with the chemicals program. I'll follow up – and forward your questions.

As per our conversation Tuesday, should I assume you are writing a story today? Or that you'll write one when you get the story?

Thanks, R.

---

**From:** Rizzuto, Denise Pat [mailto:prizzuto@bloombergenvironment.com]

**Sent:** Thursday, February 08, 2018 8:53 AM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Press Inquiry about TSCA Deadline: 3:00 p.m. today

Yesterday was the deadline for chemical manufacturers to notify EPA about the chemicals they've made or imported over the last 10 years (actually June 2006-June 2016, when TSCA amended).

- 1) Do you know how many chemicals were notified?
- 2) By how many companies?
- 3) If not, how long will it take to sort that out, eliminate duplicates, take other steps?
- 4) When will preliminary list be available so chemical processors know whether the chemicals they've used are on the list or if they need to notify EPA about those by their deadline Oct. 5?

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/5/2018 9:51:09 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Subject:** RE: Story on next step for EPA PBT chemicals

THANK YOU!

---

**From:** Daguillard, Robert  
**Sent:** Monday, February 5, 2018 4:48 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Cc:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Subject:** RE: Story on next step for EPA PBT chemicals

Got it.

---

**From:** Block, Molly  
**Sent:** Monday, February 05, 2018 4:44 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Cc:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Subject:** RE: Story on next step for EPA PBT chemicals

Ok you can attribute it to Jahan.

---

Moving forward	<b>Ex. 5 Deliberative Process (DP)</b>
<b>Ex. 5 Deliberative Process (DP)</b>	

---

**From:** Pearson, Sam [mailto:spearson@bloombergenvironment.com]  
**Sent:** Monday, February 5, 2018 4:41 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Cc:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Subject:** RE: Story on next step for EPA PBT chemicals

Hi Robert,  
My editors tell me that you guys had a conversation with Enesta Jones about how it was important to have names on these statements in the future. Unfortunately I am still trying to get this story out and they are not going to allow me to use an EPA statement that does not have anyone's name on it. If there is anything you can do to make this possible it would be great to be able to get this in.

Thanks so much,

.....

**Sam Pearson**  
Reporter

**Bloomberg Environment**

Direct 703.341.3881  
Cell Ex. 6 Personal Privacy (PP)

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, January 31, 2018 4:17 PM  
**To:** Pearson, Sam <[spearson@bloombergenvironment.com](mailto:spearson@bloombergenvironment.com)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Story on next step for EPA PBT chemicals

EPA established public dockets for each of the five PBT chemicals to facilitate receipt of information on exposure and use which may be useful to the Agency's rulemaking efforts. The dockets closed on January 12, 2018. EPA is currently reviewing information provided to the dockets. If EPA determines additional information is needed, the Agency will consider additional approaches for obtaining the information, including using its authority under amended TSCA.

Hi,  
I'm working on a story about EPA's evaluation of the five PBT chemicals and what's next here. I understand EPA has to propose risk reduction by June 2019. Does EPA believe it has enough information from the public commenters, and your existing information, to be able to do risk reduction? Do you think it will be necessary for EPA to request any more information from companies using your authority under the amended TSCA?

2 2 3 3 3 4 4 4 4 4 4 4 4 4 4 4 4 4  
 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5

Direct 703.341.3881  
Cell: Ex. 6 Personal Privacy (PP)  
spearson@bloombergenvironment.com

**To:** Daguillard, Robert[Daguillard.Robert@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Fri 2/2/2018 9:57:30 PM (UTC)  
**Subject:** RE: FOR REVIEW: Argus - Delaware request for RVO waiver - 2/2 COB

Edited below

**From:** Daguillard, Robert  
**Sent:** Friday, February 2, 2018 4:53 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Argus - Delaware request for RVO waiver - 2/2 COB

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)** Please advise:

**Statement**

**Ex. 5 Deliberative Process (DP)**

**Background**

**Ex. 5 Deliberative Process (DP)**

**From:** Daguillard, Robert  
**Sent:** Friday, February 02, 2018 2:17 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Delaware request for RVO waiver

The reporter and I just emailed back and forth. He tells me he mis-typed – his words – and meant to ask not about Philadelphia Energy Solutions, the refiner that declared bankruptcy, but about the states of Pennsylvania and Texas.

In that case, I’m pretty sure **Ex. 5 Deliberative Process (DP)** but I’m checking with the program.

**From:** Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]  
**Sent:** Friday, February 02, 2018 1:20 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Delaware request for RVO waiver

OK. So EPA is reviewing Delaware’s request and in the process of responding, and declines to comment on the status of the Philadelphia and Texas petitions.

**Elliott Blackburn**  
*Downstream Reporter*

[www.argusmedia.com](http://www.argusmedia.com)  
Direct: +1 713 429 6350  
Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
ICE: eblackburn  
Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/people/elliott.blackburn@argusmedia.com)  
Signal: 



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STAY CONNECTED:



---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]

**Sent:** Friday, February 02, 2018 12:18 PM

**To:** Elliott Blackburn

**Cc:** Press

**Subject:** Re: Delaware request for RVO waiver

Elliott, for attribution, if needed, to "an EPA spokesperson:"

We decline comment at this time.

Regards, R.

Robert Daguiard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Feb 2, 2018, at 9:55 AM, Elliott Blackburn <[elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)> wrote:

Response today. Lets me cleanly say that EPA continues to review these requests, if what I assume is true. The requests I remember are Pennsylvania, Texas and now Delaware.

**Elliott Blackburn**

*Downstream Reporter*

[www.argusmedia.com](http://www.argusmedia.com)

Direct: +1 713 429 6350

Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)

ICE: eblackburn

Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/people/elliott.blackburn@argusmedia.com)

Signal: Ex. 6 Personal Privacy (PP)

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<image002.gif>

STAY CONNECTED: <image003.png><image004.png><image005.png><image006.png>

---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]

**Sent:** Friday, February 02, 2018 8:40 AM

**To:** Elliott Blackburn



**Subject:** RE: Delaware request for RVO waiver

Let me check. You'd like a response today, presumably? Or does the response make the story?

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]

**Sent:** Friday, February 02, 2018 9:20 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** RE: Delaware request for RVO waiver

Actually, Robert, new but closely related question – is the Philadelphia request from last fall also still under review and in the process of response?

**Elliott Blackburn**  
*Downstream Reporter*


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Skype ID: [elliott.blackburn@argusmedia.com](https://www.skype.com/people/elliott.blackburn@argusmedia.com)

**Signal:**  Ex. 6 Personal Privacy (PP) !

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<image002.gif>

STAY CONNECTED: <image003.png><image004.png><image005.png><image006.png>

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**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]

**Sent:** Friday, February 02, 2018 6:58 AM

**To:** Elliott Blackburn

**Cc:** Press

**Subject:** RE: Delaware request for RVO waiver

Elliott, for attribution, if needed, to “an EPA spokesperson,” please:

“The agency is reviewing Delaware’s request and is in the process of responding.”

Regards, R.

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]

**Sent:** Thursday, February 01, 2018 1:57 PM

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**Subject:** RE: Delaware request for RVO waiver

I’ve filed but will continue to be interested in the answer tomorrow.

Thanks Robert.

Elliott

**Elliott Blackburn**  
*Downstream Reporter*

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STAY CONNECTED: <image003.png><image004.png><image005.png><image006.png>

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**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Thursday, February 01, 2018 12:56 PM  
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**Subject:** RE: Delaware request for RVO waiver

Elliott, turns out both staff members who were looking into your inquiry are out today. Could this wait until tomorrow?

Sincerely sorry for any inconvenience. Thanks, R.

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**Sent:** Wednesday, January 31, 2018 4:54 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Delaware request for RVO waiver

OK thanks, appreciate it.

**Elliott Blackburn**  
*Downstream Reporter*

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Hey Robert, any chance of a response on this today?

Elliott

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*Downstream Reporter*

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STAY CONNECTED: <image003.png><image004.png><image005.png><image006.png>

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**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]  
**Sent:** Wednesday, January 31, 2018 11:30 AM  
**To:** Elliott Blackburn  
**Subject:** RE: Delaware request for RVO waiver

Good afternoon Elliott,

Are you on deadline?

Thanks, R.

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]  
**Sent:** Wednesday, January 31, 2018 12:19 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Delaware request for RVO waiver

Good afternoon,

Has EPA received a request from Gov. John Carney for a severe economic harm waiver under the Renewable Fuel Standard?

What guidance has EPA given the state so far on whether conditions merit a severe economic harm waiver?

Thank you,

Elliott

**Elliott Blackburn**  
*Downstream Reporter*

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Argus Media Limited has moved offices. Please note our new address below.

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Company Registration No: 1642534 VAT Registration No: GB 229 7149 41

**To:** Daguillard, Robert[Daguillard.Robert@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Fri 2/2/2018 6:15:33 PM (UTC)  
**Subject:** RE: FOR REVIEW: Argus (Elliott Blackburn) Delaware request for RVO waiver - 2/2

Ok

**From:** Daguillard, Robert  
**Sent:** Friday, February 2, 2018 1:13 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: Argus (Elliott Blackburn) Delaware request for RVO waiver - 2/2

**Ex. 5 Deliberative Process (DP)**

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

Begin forwarded message:

**From:** Elliott Blackburn <elliott.blackburn@argusmedia.com>  
**Date:** February 2, 2018 at 9:20:07 AM EST  
**To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>  
**Subject:** RE: Delaware request for RVO waiver

Actually, Robert, new but closely related question – is the Philadelphia request from last fall also still under review and in the process of response?

**Elliott Blackburn**  
*Downstream Reporter*  
  
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Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
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Signal: Ex. 6 Personal Privacy (PP)



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illuminating the markets

STAY CONNECTED:    

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
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**To:** Elliott Blackburn  
**Cc:** Press  
**Subject:** RE: Delaware request for RVO waiver

Elliott, for attribution, if needed, to “an EPA spokesperson,” please:

“The agency is reviewing Delaware’s request and is in the process of responding.”

Regards, R.

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I’ve filed but will continue to be interested in the answer tomorrow.

Thanks Robert.

Elliott

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*Downstream Reporter*

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**Sent:** Wednesday, January 31, 2018 4:54 PM

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**Subject:** RE: Delaware request for RVO waiver

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What guidance has EPA given the state so far on whether conditions merit a severe economic harm waiver?

Thank you,

Elliott

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[www.argusmedia.com/disclaimer](http://www.argusmedia.com/disclaimer).

Argus Media Limited has moved offices. Please note our new address below.

Argus Media Limited, Lacon House, 84 Theobald's Road, London WC1X 8NL Registered in England and Wales,  
Company Registration No: 1642534 VAT Registration No: GB 229 7149 41

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/8/2018 2:36:25 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RE: Press Inquiry about TSCA Deadline: 3:00 p.m. today

We'll have to run it by Jahan when we get a response. Thanks for the update!

---

**From:** Daguillard, Robert  
**Sent:** Thursday, February 8, 2018 9:30 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** FW: Press Inquiry about TSCA Deadline: 3:00 p.m. today

Good morning Molly,

Based on Pat's questions below, do you anticipate Jahan would be willing to give his name for attribution when we get the response – presumably later today?

I'm asking because, I'm pretty sure Pat will stand her ground on the attribution question ("no 'EPA spokesperson'"). So, if it can help save us another back-and-forth.

Happy to discuss. Thanks, R.

---

**From:** Daguillard, Robert  
**Sent:** Thursday, February 08, 2018 9:09 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** FW: Press Inquiry about TSCA Deadline: 3:00 p.m. today

Working with the program.

---

**From:** Rizzuto, Denise Pat [<mailto:prizzuto@bloombergenvironment.com>]  
**Sent:** Thursday, February 08, 2018 8:53 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Press Inquiry about TSCA Deadline: 3:00 p.m. today

Yesterday was the deadline for chemical manufacturers to notify EPA about the chemicals they've made or imported over the last 10 years (actually June 2006-June 2016, when TSCA amended).

- 1) Do you know how many chemicals were notified?
- 2) By how many companies?
- 3) If not, how long will it take to sort that out, eliminate duplicates, take other steps?
- 4) When will preliminary list be available so chemical processors know whether the chemicals they've used are on the list or if they need to notify EPA about those by their deadline Oct. 5?

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/2/2018 2:26:06 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Delaware request for RVO waiver

Please check with the program. Thanks!

---

**From:** Daguillard, Robert  
**Sent:** Friday, February 2, 2018 9:23 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Delaware request for RVO waiver

Third Floor, do you want to take this, or should I work with the program?

---

**From:** Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]  
**Sent:** Friday, February 02, 2018 9:20 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Delaware request for RVO waiver

Actually, Robert, new but closely related question – is the Philadelphia request from last fall also still under review and in the process of response?

**Elliott Blackburn**  
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Signal:  Ex. 5 Deliberative Process (DP)



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**Cc:** Press  
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Signal: Ex. 5 Deliberative Process (DP)



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**To:** Elliott Blackburn

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**Sent:** Wednesday, January 31, 2018 4:54 PM

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**Subject:** RE: Delaware request for RVO waiver

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*Downstream Reporter*

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Direct: +1 713 429 6350  
Email: [elliott.blackburn@argusmedia.com](mailto:elliott.blackburn@argusmedia.com)  
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STAY CONNECTED:



---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]  
**Sent:** Wednesday, January 31, 2018 3:53 PM  
**To:** Elliott Blackburn  
**Subject:** RE: Delaware request for RVO waiver

Hope so. I can't make any promises, though.

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]  
**Sent:** Wednesday, January 31, 2018 4:49 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** RE: Delaware request for RVO waiver

Hey Robert, any chance of a response on this today?

Elliott

**Elliott Blackburn**  
*Downstream Reporter*

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---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]

**Sent:** Wednesday, January 31, 2018 11:30 AM

**To:** Elliott Blackburn

**Subject:** RE: Delaware request for RVO waiver

Good afternoon Elliott,

Are you on deadline?

Thanks, R.

---

**From:** Elliott Blackburn [<mailto:elliott.blackburn@argusmedia.com>]

**Sent:** Wednesday, January 31, 2018 12:19 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Delaware request for RVO waiver

Good afternoon,

Has EPA received a request from Gov. John Carney for a severe economic harm waiver under the Renewable Fuel Standard?

What guidance has EPA given the state so far on whether conditions merit a severe economic harm waiver?

Thank you,

Elliott

**Elliott Blackburn**

*Downstream Reporter*

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Signal: Ex. 5 Deliberative Process (DP)



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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 1/31/2018 10:12:08 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: TSCA questions

Ok.

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, January 31, 2018 5:09 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: TSCA questions

Also, the program now says their listserv is going out this evening – possibly in the next 30 minutes – so we can hold out until then.

---

**From:** Block, Molly  
**Sent:** Wednesday, January 31, 2018 5:08 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: TSCA questions

I think you're fine to keep it as an EPA spokesperson. It's not like the info you gave him originally was anything quote worthy.

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, January 31, 2018 5:05 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: TSCA questions

Please advise on attribution. I'm not aware of any change to our policy, but....

---

**From:** Rizzuto, Denise Pat [mailto:prizzuto@bloombergenvironment.com]  
**Sent:** Wednesday, January 31, 2018 5:00 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: TSCA questions

We don't attribute to spokesperson. Who was authorized to provide this statement?

- 1) No, the statute doesn't say January, it says "At the beginning of each calendar year, the Administrator shall publish an annual plan..." January is the beginning of the calendar year. So can you please address that.



- 2) Regarding the problem formulations, the answer says EPA has no timeline for completion. Am I hearing that correct.

From the amended TSCA:

### **Publication of plan**

At the beginning of each calendar year, the Administrator shall publish an annual plan that—

- (A) identifies the chemical substances for which risk evaluations are expected to be initiated or completed that year and the resources necessary for their completion;
- (B) describes the status of each risk evaluation that has been initiated but not yet completed; and
- (C) if the schedule for completion of a risk evaluation has changed, includes an updated schedule for that risk evaluation.

.....

**Pat Rizzuto**

Chemicals Reporter

**Bloomberg Environment**

(703) 341-3741

[prizzuto@bna.com](mailto:prizzuto@bna.com)

3)

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, January 31, 2018 4:12 PM  
**To:** Rizzuto, Denise Pat <[prizzuto@bloombergenvironment.com](mailto:prizzuto@bloombergenvironment.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** FW: TSCA questions

Pat, for attribution to “an EPA spokesperson,” please:

The statute does not specify a deadline for the release of the annual plan. The problem formulations are still being developed and will be issued as soon as review is complete.



Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 1/30/2018 8:53:37 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RE: Urgent news request -- proposal to change age requirement for pesticide use in agricultural workers

I was going to see if the reporter would actually do her homework/job and figure out that QFR responses are dictated by Committee rules, but I guess Jahan beat us to it. Thanks!

**From:** Sydney Pereira [mailto:s.pereira@newsweekgroup.com]  
**Sent:** Tuesday, January 30, 2018 3:46 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Urgent news request -- proposal to change age requirement for pesticide use in agricultural workers

Hi Robert,

Thanks for the response.

When will the EPA respond to Sen. Booker?

Is the EPA proposal to lower or higher the age limit?

Best,  
Sydney

Sydney Pereira | Science Writer  
**NEWSWEEK MEDIA GROUP**  
7 Hanover Square, Floor 5, New York, NY, 10004  
T | +1 646 484 7541  
E | [s.pereira@newsweekgroup.com](mailto:s.pereira@newsweekgroup.com)  
W | [newsweekgroup.com](http://newsweekgroup.com)



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On Tue, Jan 30, 2018 at 3:36 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Sydney, for attribution to "an EPA spokesperson," please:

Sen. Booker asked his question as his time was expiring and asked it as a question for the record, which EPA will respond to.

Also, here's what Administrator Pruitt said (transcribed from [video](#)):

"Senator, as you know that's a proposal. So we're in the process of taking comments on that now so many of those issues will be undressed and unpacked during that process."

Thanks, R.

**From:** Sydney Pereira [<mailto:s.pereira@newsweekgroup.com>]

**Sent:** Tuesday, January 30, 2018 2:54 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Re: Urgent news request -- proposal to change age requirement for pesticide use in agricultural workers

Thank you. Do you have an estimated time when you will be able to answer the questions?

Best,

Sydney

Sydney Pereira | Science Writer

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On Tue, Jan 30, 2018 at 2:50 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thanks, Sydney. This link should help. On background, please:

<https://www.epa.gov/pesticides/epa-initiates-rulemaking-revise-certain-aspects-agricultural-worker-protection-standard>

**From:** Sydney Pereira [<mailto:s.pereira@newsweekgroup.com>]

**Sent:** Tuesday, January 30, 2018 2:25 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Subject:** Re: Urgent news request -- proposal to change age requirement for pesticide use in agricultural workers

My deadline is as soon as possible. I'm planning to file to my editors by 3pm.

It would be great to have comment from the EPA and Mr. Pruitt in particular on the questions Mr. Booker asked about the pesticide age limit proposal, but my **main concern** is clarifying what the minimum age requirement actually is. The latter is a priority for the 3 pm deadline. The former, I can add to my story, though before publication is always best.

Best,

Sydney

Sydney Pereira | Science Writer

NEWSWEEK MEDIA GROUP

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On Tue, Jan 30, 2018 at 2:21 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Got it. What's your deadline and when are you planning to publish?

**From:** Sydney Pereira [mailto:s.pereira@newsweekgroup.com]

**Sent:** Tuesday, January 30, 2018 2:17 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Re: Urgent news request -- proposal to change age requirement for pesticide use in agricultural workers

Hi Robert,

Thanks so much for checking on this. The December proposal to change the age requirement wasn't clear on what the age limit currently is -- though I could be missing some information.

Best,

Sydney

Sydney Pereira | Science Writer

NEWSWEEK MEDIA GROUP

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On Tue, Jan 30, 2018 at 2:07 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Sydney,

Let me check. Thanks, R.

**From:** Sydney Pereira [mailto:s.pereira@newsweekgroup.com]

**Sent:** Tuesday, January 30, 2018 1:53 PM

**To:** Press <Press@epa.gov>

**Subject:** Urgent news request -- proposal to change age requirement for pesticide use in agricultural workers

Hello,

I'm a reporter for Newsweek. I have a few questions about the recent proposal to revise the age requirement of agricultural workers using pesticides. I'm writing about this issue as well as some of the questions that New Jersey Senator Cory Booker asked Mr. Pruitt about this topic in today's Senate oversight hearing.

I also want to clarify what that age requirement set by the WPS currently is. The links that provide information on the law are unclear. In some places, it says all agricultural jobs have a minimum age of 18. That differs from the DOL, so I'm trying to clarify this.

- What is the minimum age requirement for agricultural workers using pesticides?
- It seems the DOL's rules are that children 16 and 17 can work in any farm job. Does that differ than the WPS age limit?
- How do DOL laws and EPA laws in regards to age limits and agricultural works operate together in terms of enforcement?
- Does the proposal intend to raise or lower the minimum age requirement for agricultural workers using pesticides?
- How long is the comment period open for this proposal?

Thanks for your assistance.

Best,

Sydney Pereira

Sydney Pereira | Science Writer

NEWSWEEK MEDIA GROUP



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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/8/2018 9:11:14 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: For Review: Resource Recycling (Bobby Elliott) E-Waste and U.S. export law - 3/8

Edited below. Please send on background

---

**From:** Daguillard, Robert  
**Sent:** Thursday, March 8, 2018 4:01 PM  
**To:** Press <Press@epa.gov>  
**Subject:** For Review: Resource Recycling (Bobby Elliott) E-Waste and U.S. export law - 3/8

**SUMMARY**

Response approved by the Associate Division Director of the Materials Recovery and Waste Management Division. – Bobby Elliott – Resource Recycling – [bobby@resource-recycling.com](mailto:bobby@resource-recycling.com)

**Response:**

- 1.) Is RCRA the lone U.S. law that currently governs the export of e-scrap?

**Ex. 5 Deliberative Process (DP)**

- 2.) As I understand it, RCRA exempts e-scrap from being classified as a hazardous waste as long as the waste is being sent for domestic or international recycling. Is this accurate?

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

3.) Is the CRT rule the only device-specific regulation concerning the downstream movement of end-of-life electronics?

## Ex. 5 Deliberative Process (DP)

4.) It's my understanding that firms specifically exporting CRT material must provide U.S. EPA with written approval from an importing country before shipping the material overseas. Are companies required to do this for any other devices bound for export?

## Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Bobby Elliott [<mailto:bobby@resource-recycling.com>]  
**Sent:** Wednesday, March 07, 2018 4:38 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** Fwd: U.S. export law

----- Forwarded message -----

**From:** Bobby Elliott <[bobby@resource-recycling.com](mailto:bobby@resource-recycling.com)>  
**Date:** Wed, Mar 7, 2018 at 4:36 PM  
**Subject:** U.S. export law  
**To:** "Lynn, Tricia" <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>

Hey Tricia,

I am working on a multi-part story on U.S. exports of e-scrap and I wanted to reach out to you on background just to make sure I'm looking into every possible avenue for our coverage.

The first story we're working on is an effort to understand current U.S. law when it comes to exporting e-scrap. My questions below are pretty straightforward and just aimed at clarity above all - let me know if you can get back to me by end of day tomorrow. This is not for attribution, only for background.

- 1.) Is RCRA the lone U.S. law that currently governs the export of e-scrap?
- 2.) As I understand it, RCRA exempts e-scrap from being classified as a hazardous waste as long as the waste is being sent for domestic or international recycling. Is this accurate?
- 3.) Is the CRT rule the only device-specific regulation concerning the downstream movement of end-of-life electronics?
- 4.) It's my understanding that firms specifically exporting CRT material must provide U.S. EPA with written approval from an importing country before shipping the material overseas. Are companies required to do this for any other devices bound for export?

Thanks as always for your help on this, Tricia -

Bobby

---  
Bobby Elliott  
Editor at Large  
Resource Recycling  
917-885-4592

--  
Bobby Elliott  
Editor at Large  
Resource Recycling  
917-885-4592

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 1/17/2018 7:30:55 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW - MCIR (Anna Casey) Follow-up: Question re: chlorpyrifos label - DDL ASAP

ok

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, January 17, 2018 2:11 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** FOR REVIEW - MCIR (Anna Casey) Follow-up: Question re: chlorpyrifos label - DDL ASAP

Suggested answers to the reporter's follow-up questions. Anna Casey – Midwest Center for Investigative Reporting – [annacasey@investigatemidwest.org](mailto:annacasey@investigatemidwest.org)

RESPONSE

## Ex. 5 Deliberative Process (DP)

---

**From:** Block, Molly  
**Sent:** Thursday, January 11, 2018 4:44 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Question re: chlorpyrifos label

Thanks! Let's defer to the program on this one.

---

**From:** Daguillard, Robert  
**Sent:** Thursday, January 11, 2018 4:43 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** FW: Question re: chlorpyrifos label

Working with the program unless 3<sup>rd</sup> floor wants to reuse its earlier statement?

---

**From:** Anna Casey [<mailto:annacasey@investigatemidwest.org>]  
**Sent:** Thursday, January 11, 2018 4:39 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Re: Question re: chlorpyrifos label

Thank you for the your timely response.

I have just two follow up questions.

Regarding the buffer zone - an EPA document titled "Revised Human Health Risk Assessment" from November 3, 2016 stated the following:

*Non-Occupational Spray Drift Exposure and Risk Assessment*

*A spray drift (from treatment of agricultural fields) assessment was conducted for this assessment. Adult dermal and children's (1 < 2 year old) dermal and incidental oral risk estimates from indirect exposure to chlorpyrifos from spray drift result in risk estimates of concern at the field edge. All scenarios require buffer distances of > 300 feet to be below the level of concern.*

I'm assuming that since the recommendations in the risk assessment were not adopted, the buffer on the label remained the same. Could you provide any more information about how the E.P.A arrived at the 10 - 100 foot buffer?

And finally, did the E.P.A reference any specific studies that contradicted the conclusions made in the proposal about chlorpyrifos?

Sincerely,

Anna

On Wed, Jan 10, 2018 at 4:45 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Anna, for attribution to "an EPA spokesperson," please:

"EPA is confident that pesticide application buffer zones are protective of human health and the environment, especially with regard to sensitive areas." – EPA spokesperson.

Background: The minimum buffer is 10 feet, but there are larger buffers for some aerial and airblast applications.

Chlorpyrifos has been used as a pesticide since 1965, and is proven to be an effective control of foliage- and soil-borne insect pests for a variety of crops including corn, soybeans, fruit and nut trees, and non-agricultural uses including golf courses, and roach and ant bait stations. Congress has mandated that registration review be completed by the statutory deadline of October 1, 2022. The public record lays out serious scientific concerns and substantive process gaps in the proposal submitted in the petition to ban the pesticide. Reliable data, overwhelming in both quantity and quality, contradicts the reliance on – and misapplication of – studies to establish the end points and conclusions used to rationalize the proposal

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

On Jan 4, 2018, at 2:40 PM, Anna Casey <[annacasey@investigatemitwest.org](mailto:annacasey@investigatemitwest.org)> wrote:

Hi Mr. Daguillard,

Thank you for the prompt response. We're hoping to publish the story early next week.

As I mentioned, I'm seeking more information on the chlorpyrifos label.

The story that I'm working on is related to buffer zone regulations around schools. In Illinois, where we're based, we do not have any additional restrictions beyond what is on the EPA-approved label. It's my understanding that the buffer on the chlorpyrifos label is 10 feet. Some are concerned that the label does not go far enough to protect sensitive areas (like schools) that are near agricultural fields. I would like to include a statement from the EPA regarding the chemical's safety, and the efficacy of the label.

Feel free to give me a call at your earliest convenience, or respond by email. I'm happy to answer additional questions by phone (my cell is the best way to reach me).

Thanks again,

Anna

On Thu, Jan 4, 2018 at 12:49 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Dear Ms. Casey,

Thanks for reaching out. Also, are you on deadline? Happy to discuss.

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Anna Casey [<mailto:annacasey@investigatemitwest.org>]

**Sent:** Thursday, January 04, 2018 1:12 PM

**To:** Friedman, Dana <[Friedman.Dana@epa.gov](mailto:Friedman.Dana@epa.gov)>

**Subject:** Question re: chlorpyrifos label

Hi Ms. Friedman,

I saw that you were listed as the contact for the page on chlorpyrifos: [https://iaspub.epa.gov/apex/pesticides/f?p=CHEMICALSEARCH:3:::NO:1,3,31,7,12,25:P3\\_XCHEMICAL\\_ID:1822](https://iaspub.epa.gov/apex/pesticides/f?p=CHEMICALSEARCH:3:::NO:1,3,31,7,12,25:P3_XCHEMICAL_ID:1822)

Do you know where I can find the most recent EPA-approved label? I was also wondering about the buffer zone restriction. One of the product labels said that the buffer zone around "sensitive areas" was 10 feet. Is that correct?

Thank you,

Anna

--

Engagement Reporter

[www.investigatemitwest.org](http://www.investigatemitwest.org)

O: (217) 239-6617

C: Ex. 6 Personal Privacy (PP)



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O: (217) 239-6617

C: Ex. 6 Personal Privacy (PP)



**To:** Maguire, Megan[Maguire.Megan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Tue 2/27/2018 7:04:28 PM (UTC)  
**Subject:** RE: FOR REVIEW: Clarification on NCER consolidation

Will do. Thanks!

**From:** Maguire, Megan  
**Sent:** Tuesday, February 27, 2018 1:58 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>  
**Cc:** Block, Molly <block.molly@epa.gov>  
**Subject:** Re: FOR REVIEW: Clarification on NCER consolidation

If we use the second one, adding **Ex. 5 Deliberative Process (DP)** see italics below

# Ex. 5 Deliberative Process (DP)

Sent from my iPhone  
On Feb 27, 2018, at 1:53 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

I like the second one. Or **Ex. 5 Deliberative Process (DP)**

**From:** Block, Molly  
**Sent:** Tuesday, February 27, 2018 1:46 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Maguire, Megan <Maguire.Megan@epa.gov>  
**Subject:** FOR REVIEW: Clarification on NCER consolidation

**Suggested response options (from Liz's email earlier):** **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

OR

**Ex. 5 Deliberative Process (DP)**

For additional background (not for attribution): **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

**From:** Yessenia Funes [mailto:yessenia.funes@gizmodomedia.com]  
**Sent:** Tuesday, February 27, 2018 1:29 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** Re: URGENT: Clarification on NCER consolidation

Molly, so the National Center for Environmental Research would still exist under this consolidation?

**Yessenia Funes**  
Environmental Justice Reporter, [Earthier](#)  
[Gizmodo Media Group](#)  
New York, NY  
516-495-0370  
[@yessfun](#)

Follow us on [Facebook](#) and [Twitter](#).

On Tue, Feb 27, 2018 at 1:22 PM, Yessenia Funes <[yessenia.funes@gizmodomedia.com](mailto:yessenia.funes@gizmodomedia.com)> wrote:  
Thanks for this response, Molly.

**Yessenia Funes**

Environmental Justice Reporter, [Earther](#)  
[Gizmodo Media Group](#)  
New York, NY  
[516-495-0370](tel:516-495-0370)  
[@yessfun](mailto:@yessfun)

Follow us on [Facebook](#) and [Twitter](#).

On Tue, Feb 27, 2018 at 10:56 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:  
Yessenia –

“In order to maintain the quality of EPA’s research, ORD career and political leaders are proposing management efficiencies to staff. ORD is **proposing** combining offices and functions into a new Office of Resource Management, including reorganizing staff to the labs and offices where their expertise is most effective. This potential reorganization would not affect anyone’s employment or status and the management of research grants will continue. ORD leadership is currently holding listening sessions with staff across the country to discuss this proposal, so everyone can work together to develop the best organization possible.” - EPA Spokeswoman Liz Bowman

**Background:** This is only a proposed re-organization. No one is losing their job; no one is being demoted. As this is a proposal, it is not final and we are holding numerous “town halls” with staff to discuss the proposed changes to ensure we are developing the best organization possible.

As an email from the career head of this department explained, “In order to maintain the quality and focus of our research, our senior leadership team is proactively taking steps to create greater management efficiencies within the organization.

“In phase one we are establishing a new office, the Office of Resource Management, by consolidating two offices that provide administrative and budget support, with our center that funds high quality research through grants and small business innovative research contracts. FOIA, records management, and budget formulation functions from other organizations will also be moved into this office.

“We will also be looking at the rest of the organization and will begin that process by collecting input from staff over the next two weeks.”

Best,  
Molly

**From:** Yessenia Funes [<mailto:yessenia.funes@gizmodomedia.com>]  
**Sent:** Tuesday, February 27, 2018 8:52 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** URGENT: Clarification on NCER consolidation

Good morning,

My name is Yessenia Funes. I'm a reporter with Earther, a national environmental news site with the Gizmodo Media Group.

I'm seeking some clarification on [this story](#) The Hill reported that the NCER program will be consolidated. It's not clear to me if the research will continue, and, if so, how? This program has led to some amazing research, and I'm just curious if the EPA will still support said research.

I am hoping to get a story out about this by 2 pm. Thanks.

**Yessenia Funes**

Environmental Justice Reporter, [Earther](#)

[Gizmodo Media Group](#)

New York, NY

[516-495-0370](#)

[@yessfun](#)

Follow us on [Facebook](#) and [Twitter](#).

Message

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/27/2018 6:54:35 PM  
**To:** Bowman, Liz [Bowman.Liz@epa.gov]; Maguire, Megan [Maguire.Megan@epa.gov]  
**Subject:** RE: FOR REVIEW: Clarification on NCER consolidation

Will response with the second one then. Thanks!

---

**From:** Bowman, Liz  
**Sent:** Tuesday, February 27, 2018 1:53 PM  
**To:** Block, Molly <block.molly@epa.gov>; Maguire, Megan <Maguire.Megan@epa.gov>  
**Subject:** RE: FOR REVIEW: Clarification on NCER consolidation

I like the second one. Or: **Ex. 5 Deliberative Process (DP)**

---

**From:** Block, Molly  
**Sent:** Tuesday, February 27, 2018 1:46 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Maguire, Megan <Maguire.Megan@epa.gov>  
**Subject:** FOR REVIEW: Clarification on NCER consolidation

**Suggested response options (from Liz's email earlier):** **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)** Thank you – Liz

OR

# Ex. 5 Deliberative Process (DP)

**From:** Yessenia Funes [mailto:yessenia.funes@gizmodomedia.com]  
**Sent:** Tuesday, February 27, 2018 1:29 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** Re: URGENT: Clarification on NCER consolidation

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**Yessenia Funes**

Environmental Justice Reporter, Earthier  
Gizmodo Media Group  
New York, NY  
516-495-0370  
@yessfun

Follow us on Facebook and Twitter.

On Tue, Feb 27, 2018 at 1:22 PM, Yessenia Funes <[yessenia.funes@gizmodomedia.com](mailto:yessenia.funes@gizmodomedia.com)> wrote:

Thanks for this response, Molly.

**Yessenia Funes**

Environmental Justice Reporter, [Earther](#)

[Gizmodo Media Group](#)

New York, NY

[516-495-0370](tel:516-495-0370)

[@yessfun](#)

Follow us on [Facebook](#) and [Twitter](#).

On Tue, Feb 27, 2018 at 10:56 AM, Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)> wrote:

Yessenia –

“In order to maintain the quality of EPA’s research, ORD career and political leaders are proposing management efficiencies to staff. ORD is **proposing** combining offices and functions into a new Office of Resource Management, including reorganizing staff to the labs and offices where their expertise is most effective. This potential reorganization would not affect anyone’s employment or status and the management of research grants will continue. ORD leadership is currently holding listening sessions with staff across the country to discuss this proposal, so everyone can work together to develop the best organization possible.” - EPA Spokeswoman Liz Bowman

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As an email from the career head of this department explained, “In order to maintain the quality and focus of our research, our senior leadership team is proactively taking steps to create greater management efficiencies within the organization.

“In phase one we are establishing a new office, the Office of Resource Management, by consolidating two offices that provide administrative and budget support, with our center that funds high quality research through grants and small business innovative research contracts. FOIA, records management, and budget formulation functions from other organizations will also be moved into this office.

“We will also be looking at the rest of the organization and will begin that process by collecting input from staff over the next two weeks.”

Best,

Molly

**From:** Yessenia Funes [mailto:[yessenia.funes@gizmodomedia.com](mailto:yessenia.funes@gizmodomedia.com)]

**Sent:** Tuesday, February 27, 2018 8:52 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** URGENT: Clarification on NCER consolidation

Good morning,

My name is Yessenia Funes. I'm a reporter with Earther, a national environmental news site with the Gizmodo Media Group.

I'm seeking some clarification on [this story](#). The Hill reported that the NCER program will be consolidated. It's not clear to me if the research will continue, and, if so, how? This program has led to some amazing research, and I'm just curious if the EPA will still support said research.

I am hoping to get a story out about this by 2 pm. Thanks.

**Yessenia Funes**

Environmental Justice Reporter, [Earther](#)

[Gizmodo Media Group](#)

New York, NY

[516-495-0370](#)

[@yessfun](#)

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**To:** Bowman, Liz[Bowman.Liz@epa.gov]; Maguire, Megan[Maguire.Megan@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Tue 2/27/2018 6:17:39 PM (UTC)  
**Subject:** RE: EPA reorganization

And one more: <http://www.newsweek.com/trump-admin-backrolls-epa-program-gave-grants-study-chemical-exposure-kids-822210>

Here's the lede: Amid an overhaul in the government's Environmental Protection Agency, the Trump administration has proposed a rollback on a federal program that gave grants for studies that examined the impact of chemical exposure on children and adults.

Tracy's email: [t.lee@newsweekgroup.com](mailto:t.lee@newsweekgroup.com)

It looks like all the reporters are just working off of Miranda Green's story.

---

**From:** Bowman, Liz  
**Sent:** Tuesday, February 27, 2018 1:16 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Maguire, Megan <[Maguire.Megan@epa.gov](mailto:Maguire.Megan@epa.gov)>  
**Subject:** RE: EPA reorganization

I can email her...geeze

---

**From:** Block, Molly  
**Sent:** Tuesday, February 27, 2018 1:15 PM  
**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Maguire, Megan <[Maguire.Megan@epa.gov](mailto:Maguire.Megan@epa.gov)>  
**Subject:** RE: EPA reorganization

I think this info would do wonders in this article: [https://www.buzzfeed.com/zahrahirji/epa-reshuffle-pollution-research?utm\\_term=.rgYeVKQ3q#.mudWr98Z3](https://www.buzzfeed.com/zahrahirji/epa-reshuffle-pollution-research?utm_term=.rgYeVKQ3q#.mudWr98Z3)

Her email: [zahra.hirji@buzzfeed.com](mailto:zahra.hirji@buzzfeed.com)

---

**From:** Bowman, Liz  
**Sent:** Tuesday, February 27, 2018 12:49 PM  
**To:** Biesecker, Michael <[MBiesecker@ap.org](mailto:MBiesecker@ap.org)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Subject:** RE: EPA reorganization

Hi Michael – On background (for your understanding, not for attribution): the main issue with the Hill article is the mischaracterization of what is happening – this is not a political reorganization, but one that the career staff and political leadership initiated together because they see a need for it based on changes that have occurred in the agency and research over many years. At this time, ORD career and political leaders have developed management efficiencies in a reorganization package for the department. They initiated a proposal that will go through the approval process. Thank you – Liz

---

**From:** Biesecker, Michael [<mailto:MBiesecker@ap.org>]  
**Sent:** Tuesday, February 27, 2018 11:15 AM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Subject:** RE: EPA reorganization

Thanks for the speedy response, Molly.

The direct quotes from an EPA spokesperson in the Hill referred to this as a decision that had already been, but you are now saying it is only a proposal.

Did the Hill misquote EPA? Can you provide an explanation for the apparent shift?



---

**From:** Block, Molly [<mailto:block.molly@epa.gov>]

**Sent:** Tuesday, February 27, 2018 11:06 AM

**To:** Biesecker, Michael <[MBiesecker@ap.org](mailto:MBiesecker@ap.org)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>

**Subject:** RE: EPA reorganization

Michael –

“In order to maintain the quality of EPA’s research, ORD career and political leaders are proposing management efficiencies to staff. ORD is **proposing** combining offices and functions into a new Office of Resource Management, including reorganizing staff to the labs and offices where their expertise is most effective. This potential reorganization would not affect anyone’s employment or status and the management of research grants will continue. ORD leadership is currently holding listening sessions with staff across the country to discuss this proposal, so everyone can work together to develop the best organization possible.” - EPA Spokeswoman Liz Bowman

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As an email from the career head of this department explained, “In order to maintain the quality and focus of our research, our senior leadership team is proactively taking steps to create greater management efficiencies within the organization.

“In phase one we are establishing a new office, the Office of Resource Management, by consolidating two offices that provide administrative and budget support, with our center that funds high quality research through grants and small business innovative research contracts. FOIA, records management, and budget formulation functions from other organizations will also be moved into this office.

“We will also be looking at the rest of the organization and will begin that process by collecting input from staff over the next two weeks.”

Best,  
Molly

---

**From:** Biesecker, Michael [<mailto:MBiesecker@ap.org>]

**Sent:** Tuesday, February 27, 2018 10:23 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>

**Subject:** EPA reorganization

Jahan,

Please provide details of the EPA’s planned reorganization that includes the elimination of the National Center for Environmental Research and the merger of the Office of Administrative and Research Support and Office of Program Accountability and Resource Management into the new Office of Resource Management. Is it accurate that the NCER will be dissolved and the science staff there will be reassigned.

Can you provide comment about the goals of the reorganization and why it is necessary? Who will lead the new department?

Also, how will moving the FOIA office into the new department help clear the agency’s backlog of unprocessed FOIA requests?

Writing for today.

Thanks,

Michael



ASSOCIATED PRESS

**Michael Biesecker**  
Reporter  
[mbiesecker@ap.org](mailto:mbiesecker@ap.org)  
Twitter: @mbieseck  
[Public Key](#)

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Washington, D.C. 20005-4076  
T 202-641-9445  
M Ex. 6 Personal Privacy (PP)

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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**To:** Lynn, Tricia[lynn.tricia@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Tue 1/23/2018 4:26:57 PM (UTC)  
**Subject:** RE: FOR REVIEW: WCPN/Ideastream (Elizabeth Miller) RE: EPA on Ohio's 303(d) List. (1/23, 4 PM)

Updated below. not for attribution

**From:** Lynn, Tricia  
**Sent:** Tuesday, January 23, 2018 11:25 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW: WCPN/Ideastream (Elizabeth Miller) RE: EPA on Ohio's 303(d) List. (1/23, 4 PM)

**Background:**  
This is another inquiry regarding the Ohio 303(d) list. The reporter is asking why EPA hasn't identified additional impaired waters for Ohio. Reporter is Elizabeth Miller ([Elizabeth.Miller@ideastream.org](mailto:Elizabeth.Miller@ideastream.org)) of WCPN/Ideastream.

**Suggested Response:**

On background:

# Ex. 5 Deliberative Process (DP)

**From:** Miller, Elizabeth [<mailto:Elizabeth.Miller@ideastream.org>]  
**Sent:** Tuesday, January 23, 2018 9:32 AM  
**To:** Arcaute, Francisco <[Arcaute.Francisco@epa.gov](mailto:Arcaute.Francisco@epa.gov)>; Lippert, Allison <[lippert.allison@epa.gov](mailto:lippert.allison@epa.gov)>  
**Subject:** Reporter inquiry -- US EPA disapproval of Ohio EPA 303(d) list

Hello,

My name is Elizabeth Miller and I'm a reporter for WCPN/ideastream in Cleveland and Great Lakes Today. I'm writing about the US EPA's letter disapproving the Ohio EPA's 303(d) list, specifically the designation for the open waters of Lake Erie.

According to the EPA [website](#), "if EPA disapproves a state's list, EPA is required to identify any additional impaired or threatened waters for the state". However, in the January 12<sup>th</sup> letter addressed to Ohio EPA Director Craig Butler, the EPA states that Ohio has until April 9<sup>th</sup> to reevaluate its designation. Why hasn't the US EPA identified additional impaired waters for Ohio?

My deadline is 4pm this afternoon. Feel free to write or call me at 216-916-6258. Thank you.

-Elizabeth Miller  
(216)916-6258

**Elizabeth Miller** | Reporter/Producer | D: (216) 916-6258 | F: (216) 916-6259  
Idea Center | 1375 Euclid | Cleveland OH 44115

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Explore what you love, discover even more at [ideastream.org](http://ideastream.org)

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 1/12/2018 7:48:38 PM  
**To:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** FW: Do you have a comment about this latest NMFS ruling?

---

**From:** Daguiard, Robert  
**Sent:** Thursday, January 11, 2018 1:02 PM  
**To:** Christine Haughney <chaughney@politico.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Do you have a comment about this latest NMFS ruling?

Thanks, Christine,

For attribution, if needed, to "an EPA spokesperson," please:

We'll be referring you to NMFS for comment:

<https://www.fisheries.noaa.gov/resource/document/biological-opinion-pesticides>

Also, and on background: The public record lays out serious scientific concerns and substantive process gaps in the proposal submitted in the petition to ban the pesticide. Reliable data, overwhelming in both quantity and quality, contradicts the reliance on – and misapplication of – studies to establish the end points and conclusions used to rationalize the proposal.

Regards, R.

---

**From:** Christine Haughney [mailto:chaughney@politico.com]  
**Sent:** Thursday, January 11, 2018 12:39 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>  
**Subject:** RE: Do you have a comment about this latest NMFS ruling?

Hi Robert:

Thank you. We are running a short story this afternoon/ ASAP. We will do a more updated story for the newsletter which I typically need to file by 5pm. But I can update until 9pm.

Best,  
C.

---

**From:** Daguiard, Robert [mailto:Daguiard.Robert@epa.gov]  
**Sent:** Thursday, January 11, 2018 12:38 PM  
**To:** Christine Haughney <chaughney@politico.com>  
**Subject:** RE: Do you have a comment about this latest NMFS ruling?

Christine, a quick word to acknowledge receipt. What's your deadline, please?

---

**From:** Christine Haughney [mailto:[chaughney@politico.com](mailto:chaughney@politico.com)]  
**Sent:** Thursday, January 11, 2018 12:30 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** Do you have a comment about this latest NMFS ruling?

Hi Robert:

I am writing up a short article for Politico this afternoon and then to run in Friday morning's Morning Agriculture newsletter about this decision related to salmon/orca whales. Here is what EarthJustice published. Please let me know whether your office issued/has any comment.

Thanks!

Best,

Christine

917-903-4234

## **Chlorpyrifos pesticide harms salmon and orcas, government report says**

*Organophosphate pesticides jeopardize salmon survival and destroy their critical habitat*

Seattle, WA —A group of three widely used agricultural pesticides jeopardizes the survival of endangered salmon, according to a National Marine Fisheries Service (NMFS) biological opinion unveiled this week. Chlorpyrifos, malathion, and diazinon—all organophosphate pesticides— harm salmon and their habitat to the point that their survival and recovery are at risk, according to the [report](#). Southern Resident Killer Whales, or orcas, are also at risk as they depend on salmon.

The NMFS crafted the report to comply with a 2014 court deadline for the agency to determine whether these pesticides threatened to salmon with extinction. Upon determining that these organophosphates jeopardize salmon survival, the biological opinion offers three options for protective measures to avoid that outcome with a variety of measures including buffer zones, spray reduction technologies and pesticide stewardship programs.

“The best available science clearly shows these pesticides are a major threat to endangered salmon and to our orca whales, which need salmon to survive,” said **Patti Goldman, managing attorney at Earthjustice**. “These pesticides are bad for people every way they are exposed to it and toxic to salmon.”

Chlorpyrifos, widely used in citrus, nuts, and orchards, is acutely toxic and associated with neurodevelopmental harms in children. The Environmental Protection Agency (EPA) [refused to ban chlorpyrifos](#) in 2017, despite [overwhelming evidence](#) that shows the pesticide harms children, workers and the environment.

[Malathion](#) is used in over 100 food crops, and about half of total applications in the United States are on alfalfa, cotton, rice, and wheat. A number of growth anomalies have been observed when fish were exposed to malathion, according to studies. [Diazinon](#) is used on rice, fruit trees, sugarcane, corn, potatoes and horticultural plants.

NMFS had a December 31, 2017, deadline for completing the consultations for these three pesticides, and was on track to meet this milestone and issue a biological opinion. Dow AgroSciences asked the agencies last April to derail the consultation process. Late last year, the Trump Administration asked the

courts to give agencies a two-year delay but complied with the 2017 deadline after Earthjustice and the fishermen and conservation groups it represents pushed back.

“Salmon have been waiting four decades for relief from toxic pesticides in many of our rivers,” said **Glen Spain, Northwest Regional Director of The Pacific Coast Federation of Fishermen's Associations**. “The agencies should do their job.”

This case is one, in a series of cases that have pushed to ensure that endangered salmon on the West Coast are safe from toxic pesticides, as required by the Endangered Species Act. In 2002, a successful lawsuit brought by Earthjustice established that Environmental Protection Agency has the duty to protect salmon and comply with the Endangered Species Act when registering pesticides for use.

At that time, the U.S. District Court in Seattle found that the federal government had failed to protect 26 endangered and threatened species of salmon and steelhead from 54 toxic pesticides. The judge ordered EPA to consult with NMFS to identify permanent measures needed to protect the salmon and steelhead from the pesticides.

Since then and as a result of multiple lawsuits, the EPA started the process of consulting with NMFS to determine whether EPA's pesticide registrations impacts endangered salmon and steelhead. The Fisheries Service delayed doing its part, which led to this lawsuit and court-ordered deadlines.

Pesticides have profound effects on Northwest salmon and are a serious factor in their decline. Southern resident killer whales are at extreme risk of extinction because they feed on salmon, according to the report.

Now that the biological opinion has been released, fishermen and conservation groups want the EPA to move expeditiously to put the protective measures in place.

“Those of us who fight to protect and restore rivers and their critical fisheries are very pleased that the biological opinions were released,” said **Sharon Selvaggio, of Northwest Center for Alternatives to Pesticides**. “To protect salmon, we need to respond to what the science is showing us.”

Federal government inaction puts at risk billions of dollars and thousands of jobs. As recently as the late 1980s, salmon and steelhead fishing in Oregon, Washington, Idaho and Northern California brought in \$1.25 billion to the regional economy and supported more than 62,000 family wage jobs, according to independent economic studies. Government studies from Washington, Oregon, and California show the economic benefits of dwindling salmon have grown exponentially since then.

Salmon runs have declined because of dams, climate change, widespread habitat loss, and pesticide runoff. Scientists have found that, even at low levels, pesticides can cause the abnormal sexual development of salmon and impair their swimming ability, growth, development, behavior, and reproduction.

Earthjustice is handling the case on behalf of Northwest Center for Alternatives to Pesticides, Pacific Coast Federation of Fishermen's Associations, and Institute for Fisheries Resources.

Click [here](#) for an Earthjustice summary of the report.

*Earthjustice is the premier nonprofit environmental law organization. We wield the power of law and the strength of partnership to protect people's health, to preserve magnificent places and wildlife, to advance clean energy, and to combat climate change. We are here because the earth needs a good lawyer*

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 1/12/2018 5:54:18 PM  
**To:** Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: NPR (Rebecca Hersher). RE: Lead and Copper Meeting Attendees (1.12{

Good here. Send it just like that (no need to add any line for attribution).

---

**From:** Lynn, Tricia  
**Sent:** Friday, January 12, 2018 12:53 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: NPR (Rebecca Hersher). RE: Lead and Copper Meeting Attendees (1.12{

**Background:**  
Follow-up from reporter asking about the January 8 Lead and Copper meeting. Rebecca Hersher ([RHersher@npr.org](mailto:RHersher@npr.org)) of NPR.

**Suggested Response:**

Ex. 5 Deliberative Process (DP)

---

**From:** Rebecca Hersher [<mailto:RHersher@npr.org>]  
**Sent:** Friday, January 12, 2018 12:33 PM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Subject:** [SPAM-Sender] RE: NPR

Thanks so much, Tricia!

One more question – is there a list of who attended the meeting?

Thanks,  
Rebecca

---

**From:** Lynn, Tricia [<mailto:lynn.tricia@epa.gov>]  
**Sent:** Friday, January 12, 2018 12:15 PM  
**To:** Rebecca Hersher <[RHersher@npr.org](mailto:RHersher@npr.org)>  
**Subject:** RE: NPR

Rebecca—

Please ignore my earlier email. You’ll find the presentation powerpoint from the meeting [here](#).

Best,

Tricia

---



Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

**From:** Lynn, Tricia  
**Sent:** Friday, January 12, 2018 12:10 PM  
**To:** 'RHersher@npr.org' <[RHersher@npr.org](mailto:RHersher@npr.org)>  
**Subject:** RE: NPR

Hi Rebecca—

I received your inquiry regarding the Lead and Copper rule meeting. Can you please share your hard deadline?

Thanks so much,

Tricia

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

**From:** Rebecca Hersher <[RHersher@npr.org](mailto:RHersher@npr.org)>  
**Date:** January 12, 2018 at 11:31:16 AM EST  
**To:** "Bowman, Liz" <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Subject:** [SPAM-Sender] NPR

Hi Liz,

Happy new year!

I’m wondering if the Jan. 8 meeting with state officials about the Lead and Copper rule happened on at EPA HQ on Monday, and whether there’s any information available about who attended the meeting, what issues came up, and next steps for state officials who want to submit written input.

Thanks so much,  
Rebecca

Rebecca Hersher | Reporter, Science Desk, National Public Radio | [rhersher@npr.org](mailto:rhersher@npr.org) | 202-513-2127

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 1/11/2018 5:46:06 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Subject:** RE: extending comment deadline for CPP repeal?

No worries! Feel free to send it as is.

---

**From:** Jones, Enesta  
**Sent:** Thursday, January 11, 2018 12:45 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: extending comment deadline for CPP repeal?

OAR is working on it possibly, but nothing yet.

On Jan 11, 2018, at 12:44 PM, Block, Molly <block.molly@epa.gov> wrote:

I thought we had a link for that, if not you can just send as is.

---

**From:** Jones, Enesta  
**Sent:** Thursday, January 11, 2018 12:39 PM  
**To:** Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: extending comment deadline for CPP repeal?

Can we provide **Ex. 5 Deliberative Process (DP)**

---

**From:** Block, Molly  
**Sent:** Thursday, January 11, 2018 12:38 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: extending comment deadline for CPP repeal?

Instead of **Ex. 5 Deliberative Process (DP)** can we **Ex. 5 Deliberative Process (DP)**

---

**From:** Jones, Enesta  
**Sent:** Thursday, January 11, 2018 12:31 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Fwd: extending comment deadline for CPP repeal?

**Suggested Response:**

**For attribution to an EPA spokesperson:**

**Ex. 5 Deliberative Process (DP)**

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** Niina Heikkinen <nheikkinen@eenews.net>  
**Date:** January 11, 2018 at 12:28:14 PM EST  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: extending comment deadline for CPP repeal?

Hi Enesta,

I'm double checking this statement from yesterday is still true. We'll be running a story on public comments tomorrow morning.

Best,  
Niina

---

**From:** Jones, Enesta [mailto:Jones.Enesta@epa.gov]  
**Sent:** Wednesday, January 10, 2018 11:56 AM  
**To:** Niina Heikkinen  
**Cc:** Press  
**Subject:** Re: extending comment deadline for CPP repeal?

Niina, for attribution to an EPA spokesperson:

We have no new information at this time.

On Jan 10, 2018, at 11:11 AM, Niina Heikkinen <nheikkinen@eenews.net> wrote:

Hello folks,

The deadline for commenting on a Clean Power Plan repeal is fast approaching. Do you plan on extending that deadline given that EPA has not yet held additional hearings on a potential repeal of the rule?

Thanks very much.

Best,

Niina Heikkinen  
E&E News reporter  
202-737-3715 (w)  

Ex. 6 Personal Privacy (PP) (c)

  
@nhheikkinen  
Skype: niina.h.heikkinen

**E&E NEWS**  
122 C Street NW 7th Floor Washington, DC 20001  
[www.eenews.net](http://www.eenews.net) | [@EENewsUpdates](https://twitter.com/EENewsUpdates)

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

**To:** Jones, Enesta[Jones.Enesta@epa.gov]; Press[Press@epa.gov]  
**From:** Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** Thur 1/11/2018 3:46:54 PM (UTC)  
**Subject:** RE: Water Online Interview Request: Cross-Agency Efforts To Address PFAS

ok

**From:** Jones, Enesta  
**Sent:** Thursday, January 11, 2018 10:46 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Fwd: Water Online Interview Request: Cross-Agency Efforts To Address PFAS

<b>Suggested Response:</b>	<b>Ex. 5 Deliberative Process (DP)</b>
<b>Ex. 5 Deliberative Process (DP)</b>	

**From:** Peter Chawaga <pchawaga@vertmarkets.com>  
**Date:** January 11, 2018 at 10:42:33 AM EST  
**To:** "Jones, Enesta" <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Water Online Interview Request: Cross-Agency Efforts To Address PFAS

Hi Enesta,

Obviously, this does not provide insight into most of my questions. Can I expect more details coming from your office? Is there another way you recommend I get information about the EPA's self-announced plans to address PFAS?

Thanks,  
Peter

---

**From:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Sent:** Thursday, January 11, 2018 10:40:07 AM  
**To:** Peter Chawaga  
**Cc:** Press  
**Subject:** Water Online Interview Request: Cross-Agency Efforts To Address PFAS

Hi Peter, for attribution to an EPA spokesperson:  
“Protecting public health and ensuring all Americans have safe and clean drinking water is one of EPA’s top priorities. In December 2017, EPA reaffirmed its commitment to supporting states and tribes to address PFAS and is continuing its cross-agency effort to ensure that communities across the country have the tools they need address these chemicals.”

**Background**  
EPA is supporting MDEQ’s response to PFAS contamination of residential wells from Wolverine World Wide, Inc.’s, various operations in the Rockford, Mich. area. The agency is also providing technical support to the State of North Carolina and helping them determine the appropriate steps to address the presence of chemical substances in drinking water.

**From:** Peter Chawaga [mailto:pchawaga@vertmarkets.com]  
**Sent:** Friday, January 05, 2018 12:41 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Subject:** Water Online Interview Request: Cross-Agency Efforts To Address PFAS

Hi Enesta,

I am working on a story about the EPA efforts to promote cross-agency efforts to address PFAS.

I am hoping that you or a party you recommend can provide written answers to the below questions for potential quoted use in the story. I am hoping for responses by Friday, 1/12. Would that be possible?

Thanks,  
Peter

1. Why is now a critical time for the U.S. EPA to change its approach to address PFAS?
2. What can you tell me about how the EPA plans to execute the four bullets it has outlined as goals for this effort?
3. What types or which specific agencies would the EPA like to draw into its efforts?
4. What can you tell me about the status of the EPA's non-regulatory health advisories for PFOA and PFOS? Is there potential for these advisories to become stricter in the near future? Is there potential for EPA regulations around PFAS to emerge in the near future?
5. Why did the EPA find it imperative to join the investigation into the Wolverine World Wide PFC contamination in Michigan? Is this representative of the type of action it hopes to undertake elsewhere in the future?
6. What would the EPA consider to be successful outcomes from its new cross-agency approach?

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 1/10/2018 8:51:12 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: DYLAN: Your questions for EPA

ok

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, January 10, 2018 3:40 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Fwd: DYLAN: Your questions for EPA

The programs are still recommending **Ex. 5 Deliberative Process (DP)** unless you decide otherwise.

Robert Daguillard  
U.S. EPA  
Office of Media Relations  
Washington D.C.  
Ex. 6 Personal Privacy (PP) (M)  
202-564-6618 (O)

Begin forwarded message:

**From:** Dylan Brown <[dbrown@eenews.net](mailto:dbrown@eenews.net)>  
**Date:** January 10, 2018 at 1:32:07 PM EST  
**To:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: DYLAN: Your questions for EPA

Any chance for an update on this?

Thanks,  
Dylan

---

**From:** Dylan Brown  
**Sent:** Tuesday, January 09, 2018 11:40 AM  
**To:** 'Daguillard, Robert' <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: DYLAN: Your questions for EPA

Thanks for this Robert.

Beyond the legislation, has EPA made any progress on processing Gold King tort claims?

Best,  
Dylan

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Monday, January 08, 2018 11:12 AM  
**To:** Dylan Brown <[dbrown@eenews.net](mailto:dbrown@eenews.net)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: DYLAN: Your questions for EPA

Good morning Dylan,

For attribution to “an EPA spokesperson,” please:

The agency doesn’t comment on pending legislation.

Thanks, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Dylan Brown [<mailto:dbrown@eenews.net>]  
**Sent:** Friday, January 05, 2018 5:35 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: DYLAN: Your questions for EPA

Hey Robert, sorry for the delay. I’m just going to write a little story about the bill mentioning that Admin. Pruitt has committed to reconsidering. Then whenever you get the information, I’ll write a short little follow-up giving an update on where we are at in that process.

Sorry again it took so long to respond!  
Dylan

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Friday, January 05, 2018 3:46 PM  
**To:** Dylan Brown <[dbrown@eenews.net](mailto:dbrown@eenews.net)>  
**Subject:** DYLAN: Your questions for EPA

Hullo Dylan,

We’re working on your questions, but we may well need until early next week to get back to you, as we needed to reach out to a couple of program offices for answers. Does that work for you?

Cheers, R.

++

Hi Nancy,

I wanted to check in with EPA as I’m working on a story about new legislation ([HR 4735](#)) from Rep. Steve Pearce (R-N.M.). It provides compensation for Gold King victims under the Federal Tort Claims Act and creates an “Office of Gold King Mine Spill Claims” at EPA.



My questions:

1. Administrator Pruitt said in August EPA would reconsider tort claims. Has EPA made any progress in that process?
2. Does EPA support the legislation as it gives the agency a congressional mandate to take action?
3. The bill would use the agency's unobligated funds for each fiscal year to pay out the tort claims. What was the total of unobligated funds this past fiscal year?

My deadline is COB today, but let me know if you need more time.

Many thanks,

Dylan Brown

E&E News mining reporter

[dbrown@eenews.net](mailto:dbrown@eenews.net)

202-737-4849 (office)

[@DylanBrown26](#)

**E&E NEWS**

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 1/10/2018 7:46:50 PM  
**To:** Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** FW: Light-Duty Vehicle CO2 and Fuel Economy Trends

FYI second request today

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, January 10, 2018 2:46 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Light-Duty Vehicle CO2 and Fuel Economy Trends

Molly/Third Floor?

**From:** Dawson, Chester [mailto:chester.dawson@wsj.com]  
**Sent:** Wednesday, January 10, 2018 2:34 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Light-Duty Vehicle CO2 and Fuel Economy Trends

Hi Robert:

A little bird tells me this is coming out tomorrow. Amirite? And can we receive an embargoed copy today? We'd be much obliged.

Thanks & regards,  
Chester

On Tue, Dec 5, 2017 at 2:33 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Of course. We'll let you know.

**From:** Dawson, Chester [mailto:chester.dawson@wsj.com]  
**Sent:** Tuesday, December 05, 2017 2:31 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Light-Duty Vehicle CO2 and Fuel Economy Trends

OK, thanks. If it's not too much to ask, I'd appreciate a heads-up when it's coming (or at least once it's out.)

On Tue, Dec 5, 2017 at 2:28 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Chester, for attribution to "an EPA spokesperson," or to the agency, please:

EPA typically releases the Fuel Economy Trends report in November or December each year. We are working to finalize the report soon.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

---

**From:** Daguillard, Robert  
**Sent:** Tuesday, December 05, 2017 1:06 PM  
**To:** Dawson, Chester <[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Light-Duty Vehicle CO2 and Fuel Economy Trends

Good afternoon Chester,

Let me check.

**From:** Dawson, Chester [<mailto:chester.dawson@wsj.com>]  
**Sent:** Tuesday, December 05, 2017 1:00 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Light-Duty Vehicle CO2 and Fuel Economy Trends

Hi Robert:

Can you please update me on the status of the latest edition of the EPA's "Light-Duty Vehicle CO2 and Fuel Economy Trends" report? I notice it is typically published in November. Does EPA expect to publish in December? And why the delay?

<https://www.epa.gov/fuel-economy-trends>

Thanks & regards,

Chester Dawson  
Senior Reporter  
Detroit Bureau  
The Wall Street Journal  
(313) 463-5091  
[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)  
[@DecodeTheFirm](#)

--

Chester Dawson  
Senior Reporter  
Detroit Bureau  
The Wall Street Journal  
(313) 463-5091  
[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)  
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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 1/10/2018 7:46:38 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Light-Duty Vehicle CO2 and Fuel Economy Trends

Thanks! Will handle.

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, January 10, 2018 2:46 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: Light-Duty Vehicle CO2 and Fuel Economy Trends

Molly/Third Floor?

**From:** Dawson, Chester [mailto:chester.dawson@wsj.com]  
**Sent:** Wednesday, January 10, 2018 2:34 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Light-Duty Vehicle CO2 and Fuel Economy Trends

Hi Robert:

A little bird tells me this is coming out tomorrow. Amirite? And can we receive an embargoed copy today? We'd be much obliged.

Thanks & regards,  
Chester

On Tue, Dec 5, 2017 at 2:33 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Of course. We'll let you know.

**From:** Dawson, Chester [mailto:chester.dawson@wsj.com]  
**Sent:** Tuesday, December 05, 2017 2:31 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Light-Duty Vehicle CO2 and Fuel Economy Trends

OK, thanks. If it's not too much to ask, I'd appreciate a heads-up when it's coming (or at least once it's out.)

On Tue, Dec 5, 2017 at 2:28 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Chester, for attribution to “an EPA spokesperson,” or to the agency, please:

EPA typically releases the Fuel Economy Trends report in November or December each year. We are working to finalize the report soon.

Cheers, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
[+1 \(202\) 564-6618](tel:+12025646618) (O)  

Ex. 6 Personal Privacy (PP) (M)

**From:** Daguiard, Robert  
**Sent:** Tuesday, December 05, 2017 1:06 PM  
**To:** Dawson, Chester <[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Light-Duty Vehicle CO2 and Fuel Economy Trends

Good afternoon Chester,

Let me check.

**From:** Dawson, Chester [<mailto:chester.dawson@wsj.com>]  
**Sent:** Tuesday, December 05, 2017 1:00 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Light-Duty Vehicle CO2 and Fuel Economy Trends

Hi Robert:

Can you please update me on the status of the latest edition of the EPA's "Light-Duty Vehicle CO2 and Fuel Economy Trends" report? I notice it is typically is published in November. Does EPA expect to publish in December? And why the delay?

<https://www.epa.gov/fuel-economy-trends>

Thanks & regards,

Chester Dawson  
Senior Reporter  
Detroit Bureau  
The Wall Street Journal  
[\(313\) 463-5091](tel:3134635091)  
[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)  
[@DecodeTheFirm](#)

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Chester Dawson  
Senior Reporter  
Detroit Bureau  
The Wall Street Journal  
[\(313\) 463-5091](tel:3134635091)  
[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)  
[@DecodeTheFirm](#)

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Chester Dawson  
Senior Reporter  
Detroit Bureau  
The Wall Street Journal  
[\(313\) 463-5091](tel:3134635091)  
[chester.dawson@wsj.com](mailto:chester.dawson@wsj.com)  
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Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 1/3/2018 10:25:32 PM  
**To:** Lynn, Tricia [lynn.tricia@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: FOR REVIEW: Wall Street Journal (Heather Haddon) RE: EPA Food Waste Efforts 1/3)

Ok

Sent from my iPhone

On Jan 3, 2018, at 5:22 PM, Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

**Background:**

Reporter is potentially writing a story about EPA's food waste efforts, including anything to potentially back FoodMaven or other startups addressing the issue. She's looking for any additional details of interest that EPA has shown/is showing in FoodMaven or other marketplace models for helping to recover food. Reporter is Heather Haddon ([heather.haddon@wsj.com](mailto:heather.haddon@wsj.com)) of Wall Street Journal.

**Suggested Response:**

1. **Is food waste becoming more of a focus for the federal government? Or is that a core mission for 2018?**

a.

**Ex. 5 Deliberative Process (DP)**

2. **How has the agency taken steps to fulfill the 2030 food loss and waste reduction goal?**

a.

**Ex. 5 Deliberative Process (DP)**



## Ex. 5 Deliberative Process (DP)

3. Is that still a priority for the current administration?

a.

b.

## Ex. 5 Deliberative Process (DP)

4. How many groups have signed on to the Food Recovery Challenge?

a.

## Ex. 5 Deliberative Process (DP)

5. How much funding has the program received?

## Ex. 5 Deliberative Process (DP)

**From:** Haddon, Heather [mailto:heather.haddon@wsj.com]

**Sent:** Friday, December 29, 2017 10:46 AM

**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>

**Cc:** Press <Press@epa.gov>

**Subject:** Re: Subject: Press Inquiry about Food Waste

Hello Robert,

I'm interested in potentially exploring a story about the EPA's food waste efforts, including anything to potentially back FoodMaven or other startups addressing the issue. Could I arrange for an interview with a subject expert in this area? Let me know what's possible when you can. Thanks in advance.  
Heather

On Thu, Oct 26, 2017 at 3:11 PM, Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Heather, for attribution to "an EPA spokesperson," please:

Food Maven participated in the Midwest Food Recovery Summit in Des Moines, IA in early September (<https://iwrc.uni.edu/foodrecoverysummit/speakers/bultema>) in the Thursday, 9/7 panel session, Tools and Resources to Promote Recovery and Donation Efforts.

EPA supports a variety of efforts and strategies that reduce the amount of wholesome, nutritious food going to landfills. See our Food Recovery Hierarchy (<https://www.epa.gov/sustainable-management-food/food-recovery-hierarchy>).

Regards, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

[+1 \(202\) 564-6618](tel:+12025646618) (O)

Ex. 6 Personal Privacy (PP) (M)

++

**From:** Haddon, Heather [<mailto:heather.haddon@wsj.com>]

**Sent:** Thursday, October 26, 2017 2:08 PM

**To:** StClair, Christie <StClair.Christie@epa.gov>

**Subject:** Press Inquiry about Food Waste

Hello,

I'm the food retail reporter for the Journal, and am working on a story about a Colorado company that has built a marketplace to sell food waste to restaurants and food service companies. It's called Food Maven. My understanding is that the EPA had the CEO of the company, Patrick Bultema, speak at a recent conference. Looking to confirm and get some detail if so, or if the agency supports this effort more generally. Any response by tomorrow would be most appreciated. I'm at my desk if it would help to discuss.

Thanks,

Heather

--

~~~~~  
Heather Haddon  
Wall Street Journal  
312-750-4118 (o)  
Ex. 6 Personal Privacy (PP) (c)  
@heatherhaddon

--

~~~~~  
Heather Haddon  
The Wall Street Journal  
312-750-4118 (o)  
Ex. 6 Personal Privacy (PP) (c)  
@heatherhaddon

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 12/27/2017 9:38:02 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: lead paint ruling

Great, thank you!

Sent from my iPhone

On Dec 27, 2017, at 4:37 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

They've confirmed [Ex. 5 Deliberative Process (DP)] I'll tell the reporter as much.

---

**From:** Daguillard, Robert  
**Sent:** Wednesday, December 27, 2017 3:49 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: lead paint ruling

That's my sense. I can't imagine they'd recommend [Ex. 5 Deliberative Process (DP)] I'll double-check with OGC.

---

**From:** Block, Molly  
**Sent:** Wednesday, December 27, 2017 3:48 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: lead paint ruling

Did OGC give any indication? You can always go with [Ex. 5 Deliberative Process (DP)]

[Ex. 5 Deliberative Process (DP)]

Sent from my iPhone

On Dec 27, 2017, at 2:45 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Third Floor?

**From:** Friedman, Lisa [mailto:lisa.friedman@nytimes.com]  
**Sent:** Wednesday, December 27, 2017 3:42 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: lead paint ruling

Sorry one other question - can you tell me if EPA is appealing this?

On Wed, Dec 27, 2017 at 3:23 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

..... Lisa, for attribution to "an EPA spokesperson," please:

EPA is reviewing the Ninth Circuit's decision to grant the petition for a writ of mandamus.

Lead exposure remains a significant health threat to children, and EPA will continue to work diligently on a number of fronts to address issues surrounding childhood lead exposure from multiple sources.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Friedman, Lisa [mailto:[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)]

**Sent:** Wednesday, December 27, 2017 2:59 PM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Cc:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>;  
Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Re: lead paint ruling

tx!

On Wed, Dec 27, 2017 at 2:57 PM, Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Hey Lisa,

Quick word to acknowledge receipt.

Thanks, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Friedman, Lisa [mailto:[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)]

**Sent:** Wednesday, December 27, 2017 2:35 PM

**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>;  
Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** lead paint ruling

Hi folks. Can I get a comment on this 9th Circuit ruling on EPA's lead paint rules in the next hour or two? Tx much,

Lisa

--

Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

--  
Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

--  
Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/15/2018 7:32:06 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Subject:** RE: Clarification on first aid/pesticide label press release

I'll just be more specific – less room for error. Thanks though!

---

**From:** Daguillard, Robert  
**Sent:** Thursday, March 15, 2018 3:26 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Or, if you prefer, Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Block, Molly  
**Sent:** Thursday, March 15, 2018 3:21 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

No worries! I'll be more specific on all responses moving forward.

---

**From:** Daguillard, Robert  
**Sent:** Thursday, March 15, 2018 3:08 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Of course. To be honest, I was wondering about Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Going forward, Ex. 5 Deliberative Process (DP) unless I hear otherwise from you or the others.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)



Ex. 6 Personal Privacy (PP) (M)

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**From:** Block, Molly  
**Sent:** Thursday, March 15, 2018 2:58 PM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

This is one of those responses that { Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Thanks!

---

**From:** Daguillard, Robert  
**Sent:** Thursday, March 15, 2018 2:23 PM  
**To:** Kevin Druley <Kevin.Druley@nsc.org>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Kevin, for attribution to “an EPA spokesperson,” please:

That’s not inaccurate, but we recommend using this language instead to make it clear that for statements for Toxicity Category II and III can be placed on any panel of the label whether this be front, back, side, or inside:

“Toxicity category I first aid statements must be visible on the front panel except in cases where a variation has been approved. Toxicity Category II and III products first aid statements can be placed on any panel of the label whether this be front, back, side, or inside. Toxicity category II and III first aid statements do not need to be immediately visible on the label.”

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
Ex. 6 Personal Privacy (PP) (M)

---

**From:** Kevin Druley [mailto:Kevin.Druley@nsc.org]  
**Sent:** Thursday, March 15, 2018 9:21 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thanks for the update. Be in touch.

---

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]  
**Sent:** Thursday, March 15, 2018 8:11 AM  
**To:** Kevin Druley <Kevin.Druley@nsc.org>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Good morning Kevin.

Still waiting for a response.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

---

**From:** Kevin Druley [<mailto:Kevin.Druley@nsc.org>]  
**Sent:** Thursday, March 15, 2018 8:43 AM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Good morning, Robert. Just wanted to check in about any update you may have. Thanks for your help.

---

**From:** Kevin Druley  
**Sent:** Wednesday, March 14, 2018 11:24 AM  
**To:** 'Daguillard, Robert' <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thank you kindly. I appreciate it. Be in touch.

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, March 14, 2018 11:15 AM  
**To:** Kevin Druley <[Kevin.Druley@nsc.org](mailto:Kevin.Druley@nsc.org)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thanks, Kevin. I've forwarded your question to the program. I hope to get back to you by the end of the day. I'll circle back if my ETA changes.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Kevin Druley [<mailto:Kevin.Druley@nsc.org>]  
**Sent:** Wednesday, March 14, 2018 12:12 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Hey, Robert. Just wanted to check in and see if there might be any update. Thanks for your time, assistance and feedback.

Kevin

---

**From:** Kevin Druley  
**Sent:** Tuesday, March 13, 2018 4:05 PM  
**To:** 'Daguillard, Robert' <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Robert,

You're welcome. My copy editor and I conferred and came up with the following. Is it accurate with what EPA is communicating?

EPA will continue to require that first aid statements appear on the front panel of Toxicity Category I products unless an exception has been approved. For Toxicity Category II and III products, a clarification of previous interpretation allows for publication of first aid statements on the inside panel in addition to those on the front, back or side, the guidance states.

The item would initially be for online publication.

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Tuesday, March 13, 2018 3:38 PM  
**To:** Kevin Druley <[Kevin.Druley@nsc.org](mailto:Kevin.Druley@nsc.org)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thanks in advance, Kevin. The more you can push it back, the more room we'll have to send you a response.

Is this for online publication? If so, can you update your story when you get our answer?

Cheers, R.

Robert Daguillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Kevin Druley [<mailto:Kevin.Druley@nsc.org>]  
**Sent:** Tuesday, March 13, 2018 4:30 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Thank you for the response and assistance. The deadline is approaching tomorrow morning; we were hoping to publish around 9 a.m. CT.

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Tuesday, March 13, 2018 3:16 PM  
**To:** Kevin Druley <[Kevin.Druley@nsc.org](mailto:Kevin.Druley@nsc.org)>  
**Subject:** RE: Clarification on first aid/pesticide label press release

Mr. Druley, thanks or reaching out. Are you on deadline? When are you hoping to publish your piece?

Cheers, R.

Robert Daguiillard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  
**Ex. 6 Personal Privacy (PP)** (M)

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**From:** Kevin Druley [mailto:Kevin.Druley@nsc.org]  
**Sent:** Tuesday, March 13, 2018 3:54 PM  
**To:** Daguiillard, Robert <Daguiillard.Robert@epa.gov>  
**Subject:** Clarification on first aid/pesticide label press release

Mr. Daguiillard,

Hello. My name is Kevin Druley, and I'm an associate editor in the publications department of the National Safety Council in Itasca, Ill. We're working on a brief for our news alert section on this release: <https://www.epa.gov/pesticides/guidance-placement-first-aid-statements-pesticide-labels>, and I had a quick clarification matter to ask about.

The release states the following about Toxicity Categories II and III products:

The agency will continue to require that Toxicity Category I products have first aid statements visible on the front panel except in cases where a variation has been approved. Toxicity Categories II and III products must have these statements on a front, back, side or inside panel (any panel). These statements are optional for Toxicity Category IV products.

However, the guidance document says this:

Based on the comments received and the wide reliance by the regulated community on the interpretation that "any panel" includes inside panels, the Agency will not require Toxicity Category II and III products to bear the first aid statements on a visible front, back or side panel (as the Agency memorandum posted to the docket on December 7, 2016, had proposed).

Again, just wanted to ask for a clarification. Any feedback is appreciated when you're able.

Thank you and be in touch,

Kevin

Kevin Druley  
Associate Editor – Publications  
National Safety Council  
1121 Spring Lake Drive  
Itasca, IL 60143  
630.775.2083  
[Kevin.Druley@nsc.org](mailto:Kevin.Druley@nsc.org)

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 12/22/2017 7:24:45 PM  
**To:** Daguiard, Robert [Daguiard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: For Review: Bloomberg (Tiffany Stecker) - Neonics - 12/22

Ok

Sent from my iPhone

On Dec 22, 2017, at 1:07 PM, Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

Sorry, here's the updated and expanded response, approved by Nancy Beck. **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

# **Ex. 5 Deliberative Process (DP)**

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**From:** Block, Molly  
**Sent:** Friday, December 22, 2017 11:58 AM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: For Review: Bloomberg (Tiffany Stecker) - Neonics - 12/22

Ok

Sent from my iPhone

On Dec 22, 2017, at 10:17 AM, Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)> wrote:

### BACKGROUND

Follow-up inquiry. Tiffany Stecker – Bloomber Environment –  
[Tstecker@bloombergenvironment.com](mailto:Tstecker@bloombergenvironment.com)

### RESPONSE

## **Ex. 5 Deliberative Process (DP)**



**Tiffany Stecker**  
Reporter  
**Bloomberg Environment**

Direct 703.341.3720

Cell Ex. 6 Personal Privacy (PP)

[tstecker@bloombergenvironment.com](mailto:tstecker@bloombergenvironment.com)

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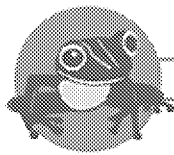
**From:** Lori Ann Burd [<mailto:laburd@biologicaldiversity.org>]

**Sent:** Tuesday, December 19, 2017 12:18 PM

**To:** Stecker, Tiffany <[tstecker@bloombergenvironment.com](mailto:tstecker@bloombergenvironment.com)>

**Subject:** EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

[http://www.biologicaldiversity.org/news/press\\_releases/2017/pesticides-12-19-2017.php](http://www.biologicaldiversity.org/news/press_releases/2017/pesticides-12-19-2017.php)



CENTER for BIOLOGICAL DIVERSITY

*Because life*

For Immediate Release, December 19, 2017

Contact: Lori Ann Burd, (971) 717-6405, [laburd@biologicaldiversity.org](mailto:laburd@biologicaldiversity.org)

## EPA to Consider Approving Spraying of Bee-killing Pesticide on 165 Million Acres of U.S. Farmland

WASHINGTON— The U.S. Environmental Protection Agency will consider allowing the bee-killing pesticide thiamethoxam to be sprayed on the most widely grown crops in the United States. The application, if approved, would allow the highly toxic pesticide to be sprayed directly on 165 million acres of wheat, barley, corn, sorghum, alfalfa, rice and potato.

The proposal by the agrochemical giant Syngenta to dramatically escalate use of the harmful neonicotinoid pesticide came last Friday, on the same day the EPA released new assessment of the extensive dangers posed by neonicotinoids, including thiamethoxam.

“If the EPA grants Syngenta’s wish, it will spur catastrophic declines of aquatic invertebrates and pollinator populations that are already in serious trouble,” said Lori Ann Burd, director of

the Center for Biological Diversity's environmental health program. "You know the pesticide-approval process is broken when the EPA announces it will consider expanding the use of this dangerous pesticide on the same day its own scientists reveal that the chemical kills birds and aquatic invertebrates."

Neonicotinoids have long been known to pose serious harm to bee populations. But the new EPA assessments found the commonly used pesticides can kill and harm birds of all sizes and pose significant dangers to aquatic invertebrates.

Thiamethoxam is currently widely used as a seed coating for these crops. This application would allow it to be sprayed directly on the crops, greatly increasing the amount of pesticide that could be used.

The just-released aquatic and non-pollinator risk assessment found that the majority of uses of the neonicotinoid on currently registered crops resulted in risks to freshwater invertebrates that exceeded levels of concern — the threshold at which harm is known to occur.

The EPA did not assess risks associated with spraying the pesticides on the crops it announced it was considering expanding use to on Friday. But it is likely that increasing the number of crops approved for spraying would dramatically increase that risk.

In January the EPA released a preliminary assessment of on-field exposures to thiamethoxam that found all uses of the pesticide — on foliar, soil and seeds — result in exposures that exceed the level of concern for acute and chronic risk to adult bees. But the agency has taken no steps to restrict use of these products and is now considering expanding their use.

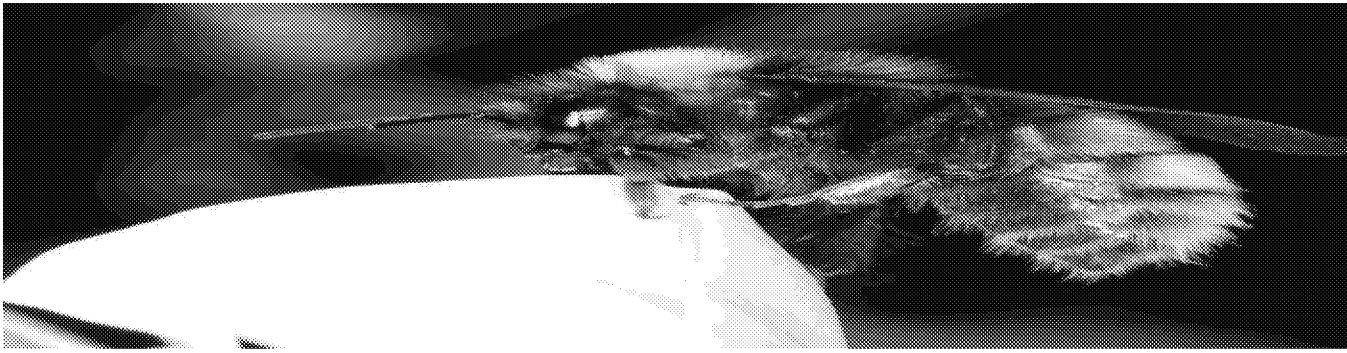
Despite growing scientific and public concern about neonicotinoids, the application for expanded use of thiamethoxam was not announced by the EPA but quietly posted in the Federal Register.

"For years the EPA and pesticide companies bragged that by using treated seeds they were avoiding spraying insecticides, and despite the science showing that these treated seeds were deadly to birds, claimed that they were environmentally beneficial," said Burd. "But we can expect the Trump EPA to now ignore the risks to birds and bees and approve these ultra-toxic pesticides to be sprayed across hundreds of millions of U.S. acres."

Neonicotinoids are a class of pesticides known to have both acute and chronic effects on aquatic invertebrates, honeybees, birds, butterflies and other pollinator species; they are a major factor in overall pollinator declines. These systemic insecticides cause entire plants, including pollen and fruit, to become toxic to pollinators; they are also slow to break down and therefore build up in the environment.

A large and growing body of independent science links neonicotinoids to catastrophic bee declines. Twenty-nine independent scientists who conducted a global review of more than 1,000 independent studies on neonicotinoids found overwhelming evidence linking the pesticides to declines in populations of bees, birds, earthworms, butterflies and other wildlife.





Western bumblebee by Steve Amus, USDA. This image is [available](#) for media use.

*The Center for Biological Diversity is a national, nonprofit conservation organization with more than 1.5 million members and online activists dedicated to the protection of endangered species and wild places.*

*Arizona • California • Colorado • Florida • N. Carolina • New York • Oregon • Virginia • Washington, D.C. • La Paz, Me*

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[BiologicalDiversity.org](https://www.BiologicalDiversity.org)

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<iframe src="https://www.googletagmanager.com/ns.html?id=GTM-KTG95Q9" height="0" width="0" style="display:none;visibility:hidden"></iframe>

If you would rather not receive future communications from Center for Biological Diversity, let us know by clicking [here](#).  
Center for Biological Diversity, P.O. Box 710, Tucson, AZ 85702 United States

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 12/11/2017 1:15:31 PM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: FOR REVIEW : WUSA9 NEWS INQUIRY (Rhea Titus) - Triclosan - DDL ASAP

Good to send.

---

**From:** Daguillard, Robert  
**Sent:** Friday, December 8, 2017 6:44 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FOR REVIEW : WUSA9 NEWS INQUIRY (Rhea Titus) - Triclosan - DDL ASAP

BACKGROUND

This is the latest part of a long-running investigation into a pesticide called triclosan and its impact on human health - Rhea Titus - WUSA - [rtitus@wusa9.com](mailto:rtitus@wusa9.com)

Response: **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

Begin forwarded message:

**From:** "Titus, Rhea" <[RTitus@wusa9.com](mailto:RTitus@wusa9.com)>  
**Date:** December 5, 2017 at 5:29:55 PM EST  
**To:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: WUSA9 NEWS INQUIRY

Hi Robert, thanks so much for getting back to me, regarding this sentence in the statement:  
"Triclosan residues that were ingested did not exceed EPA's level of concern. "

What is the EPA's level of concern, number wise?

Thanks!

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Tuesday, December 5, 2017 9:28 AM  
**To:** Titus, Rhea <[RTitus@wusa9.com](mailto:RTitus@wusa9.com)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: WUSA9 NEWS INQUIRY

\*External Email – Be Suspicious of Attachments, Links and Requests for Login Information\*

Rhea, at last, and for attribution to “an EPA spokesperson,” please:

As part of the registration process, EPA conducts a human health risk assessment to assure, when used according to the label, registered pesticides will not harm human health. The dietary risk assessment is one piece of the overall human health risk assessment. The most recent comprehensive risk assessment performed by EPA on triclosan was conducted using the National Health and Nutrition Examination Survey (NHANES) biological monitoring data collected by the Center for Disease Control and Prevention (CDC).

Most of the pesticidal uses of triclosan (those regulated by EPA, not FDA) are as a preservative in plastics which may come into contact with food such as ice making equipment, cutting boards, and conveyer belts. EPA’s aggregate risk assessment took all human exposures to triclosan into account including both EPA-registered antimicrobial uses and US Food and Drug Administration (FDA) - regulated uses such as triclosan-containing toothpaste, hand soaps, and deodorants. Based on available data at that time, the agency concluded that total exposure to triclosan from all sources did not present risks of concern for human health. Triclosan residues that were ingested did not exceed EPA’s level of concern.

For more information on how EPA came to this conclusion see the 2008 dietary assessment. For more information on these conclusions, see the Triclosan Final Work Plan Registration Review Case 2340: <https://www.regulations.gov/document?D=EPA-HQ-OPP-2012-0811-0016>

Thanks for your patience, R.

Robert Daguiard  
Office of Media Relations  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

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**From:** Titus, Rhea [<mailto:RTitus@wusa9.com>]  
**Sent:** Monday, December 04, 2017 7:25 PM  
**To:** Daguiard, Robert <[Daguiard.Robert@epa.gov](mailto:Daguiard.Robert@epa.gov)>  
**Subject:** RE: WUSA9 NEWS INQUIRY

H Roberta,, do you have an ETA on the response?

Thanks, I appreciate your help

---

**From:** Daguiard, Robert [<mailto:Daguiard.Robert@epa.gov>]  
**Sent:** Monday, December 4, 2017 4:32 PM  
**To:** Titus, Rhea <[RTitus@wusa9.com](mailto:RTitus@wusa9.com)>  
**Subject:** RE: WUSA9 NEWS INQUIRY

\*External Email – Be Suspicious of Attachments, Links and Requests for Login Information\*

Rhea, a follow-up: Colleagues say they expect a response soon.

Cheers, R.

---

**From:** Titus, Rhea [<mailto:RTitus@wusa9.com>]  
**Sent:** Monday, December 04, 2017 4:16 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: WUSA9 NEWS INQUIRY  
**Importance:** High

Hi Robert, just checking in to see if you had a response yet regarding my question, thanks.

**RHEA TITUS**  
WUSA9 News Researcher



**A TEGNA Company** | 4100 Wisconsin Ave NW, Washington, DC 2001  
[rtitus@wusa9.com](mailto:rtitus@wusa9.com) | P. 202.895.5507 |

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Wednesday, November 29, 2017 3:58 PM  
**To:** Titus, Rhea <[RTitus@wusa9.com](mailto:RTitus@wusa9.com)>  
**Subject:** RE: WUSA9 NEWS INQUIRY

\*External Email – Be Suspicious of Attachments, Links and Requests for Login Information\*

Hullo Rhea,

The program is working on a response. I seem to remember you and I were hoping to reconnect by Monday? Please advise.

Thanks, R.

---

**From:** Titus, Rhea [<mailto:RTitus@wusa9.com>]  
**Sent:** Wednesday, November 29, 2017 3:42 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** WUSA9 NEWS INQUIRY  
**Importance:** High

Hi Robert, this is Rhea at WUSA9 News in DC. Do you have an update on the triclosan question I had?

Thanks

**RHEA TITUS**  
WUSA9 News Researcher



**A TEGNA Company** | 4100 Wisconsin Ave NW, Washington, DC 2001  
[rtitus@wusa9.com](mailto:rtitus@wusa9.com) | P. 202.895.5507 |



Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 3/15/2019 11:59:44 AM  
**To:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: Detroit Free Press: toxins in consumers paint strippers

Yes please!

Sent from my iPhone

On Mar 15, 2019, at 7:38 AM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Ex. 5 Deliberative Process (DP) ?

**Robert Daguillard**  
**Office of Media Relations**  
**U.S. Environmental Protection Agency**  
**Washington, DC**  
**+1 (202) 564-6618 (O)**  
Ex. 6 Personal Privacy (PP) (M)

Begin forwarded message:

**Resent-From:** <[Press@epa.gov](mailto:Press@epa.gov)>  
**From:** "Siacon, Aleanna" <[ASiacon@freepress.com](mailto:ASiacon@freepress.com)>  
**Date:** March 15, 2019 at 6:47:58 AM EDT  
**To:** "Daguillard, Robert" <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>, "Kelley, Jeff" <[kelley.jeff@epa.gov](mailto:kelley.jeff@epa.gov)>, "Rowan, Anne" <[rowan.anne@epa.gov](mailto:rowan.anne@epa.gov)>, "Bassler, Rachel" <[Bassler.Rachel@epa.gov](mailto:Bassler.Rachel@epa.gov)>, "Corado, Ana" <[Corado.Ana@epa.gov](mailto:Corado.Ana@epa.gov)>  
**Subject: Re: Detroit Free Press: toxins in consumers paint strippers**

Hi Robert,

Hope all is well! We were just working on wrapping up our explainer piece on these chemicals, when I got an overnight note from an environmental health organization saying that they're expecting the EPA to finalize rules for methylene chloride today.

I wanted to check in to see if that was accurate, and if the rule will include both workers and consumers? Or, just consumers? Will an official EPA announcement or statement be coming out when the methylene chloride rule is finalized?

Also, just to make sure I'm clear and up to date, while a methylene chloride rule may be finalized today, NMP is still undergoing a risk evaluation under the amended TSCA prior the EPA going forward on proposed NMP regulation correct?

Best,

**Aleanna Siacon**

**~~Detroit Free Press~~**

Breaking & Developing News Reporter -- FreepNow

Desk: (313) 222-1850 / Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @AleannaSiacon

---

**From:** Daguiard, Robert <Daguiard.Robert@epa.gov>

**Sent:** Monday, March 4, 2019 3:58 PM

**To:** Siacon, Aleanna

**Cc:** Press; Kelley, Jeff; Rowan, Anne; Bassler, Rachel; Corado, Ana

**Subject:** RE: Detroit Free Press: toxins in consumers paint strippers

Aleanna, for attribution to "an EPA Spokesperson," please:

Under certain circumstances, methylene chloride not only can pose danger, but has also caused worker deaths. EPA submitted a final rule for methylene chloride paint and coating removal to OMB for interagency review on December 21, 2018.

Questions regarding the scope, implementation, and timing of the final rule, and associated EPA actions, will depend on the outcome of the interagency review process.

The Agency has stated that we are moving forward on a risk evaluation required by the amended TSCA, and that that evaluation will include the uses that were in the proposed rule. Conducting these evaluations does not preclude EPA from finalizing the proposed NMP regulation if through its evaluation EPA determines that any of the conditions of use present unreasonable risk. EPA has concluded that the Agency's assessment of the potential risks will be more robust if the potential risks from these conditions of use are evaluated by applying standards and guidance under amended TSCA. In particular, this includes ensuring the evaluation is consistent with the scientific standards in Section 26 of TSCA (including systematic review approaches).

Cheers, R.

**Robert Daguiard**

**Office of Media Relations**

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Siacon, Aleanna <[ASiacon@freepress.com](mailto:ASiacon@freepress.com)>

**Sent:** Monday, March 04, 2019 9:05 AM

**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>

**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Kelley, Jeff <[kelley.jeff@epa.gov](mailto:kelley.jeff@epa.gov)>; Rowan, Anne <[rowan.anne@epa.gov](mailto:rowan.anne@epa.gov)>; Bassler, Rachel <[Bassler.Rachel@epa.gov](mailto:Bassler.Rachel@epa.gov)>; Corado, Ana <[Corado.Ana@epa.gov](mailto:Corado.Ana@epa.gov)>

**Subject:** Re: Detroit Free Press: toxins in consumers paint strippers

Hi Robert,

I hope all is well. I just wanted to check in to see if more information or a statement was available from the EPA regarding whether or not actions to regulate the use of methylene chloride were upcoming?

My deadline is this afternoon.

Best,

**Aleanna Siacon**

***Detroit Free Press***

Breaking & Developing News Reporter -- FreepNow

Desk: (313) 222-1850 / Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @AleannaSiacon

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**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Friday, March 1, 2019 7:08:42 AM  
**To:** Siacon, Aleanna  
**Cc:** Press; Kelley, Jeff; Rowan, Anne; Bassler, Rachel; Corado, Ana  
**Subject:** Re: Detroit Free Press: toxins in consumers paint strippers

Got it. Thanks Aleanna.

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Mar 1, 2019, at 7:04 AM, Siacon, Aleanna <[ASiacon@freepress.com](mailto:ASiacon@freepress.com)> wrote:

Hi Robert,

Thanks so much for the response, I've let my editor know that a statement may not come until Monday.

In the meantime, I just wanted to clarify what we were looking for:

- An update on whether or not federal regulation prohibiting the use of methylene chloride and nmp in products is coming, I understand the EPA announced upcoming action on methylene chloride in 2018, but action has not been finalized yet.
  - What has caused the wait on federal restrictions on methylene chloride? Is there a timeline in place for when more progress is expected, and does the EPA

plan to restrict the use of methylene chloride for *both* workers and consumers.?

- A status update on regulations for NMP. I understand that in 2017 the EPA was also looking at possibly prohibiting its use as well. Is that/will that be underway?

Best,

**Aleanna Siacon**

***Detroit Free Press***

Breaking & Developing News Reporter -- FreepNow

Desk: (313) 222-1850 / Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @AleannaSiacon

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**From:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Thursday, February 28, 2019 7:46 PM  
**To:** Siacon, Aleanna  
**Cc:** Press; Kelley, Jeff; Rowan, Anne; Bassler, Rachel  
**Subject:** Re: Detroit Free Press: toxins in consumers paint strippers

Good evening Aleanna,

Looks as though we may not get back to you by the end of tomorrow. Would a Monday response work for you, if it comes to that?

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Feb 25, 2019, at 10:07 AM, Siacon, Aleanna  
<[ASiacon@freepress.com](mailto:ASiacon@freepress.com)> wrote:

Hi Robert,

Thanks so much for the response -- I'm looking to get some more info or a statement sometime this week, preferably before Friday.

Best,

**Aleanna Siacon**

***Detroit Free Press***

Breaking & Developing News Reporter -- FreepNow

Desk: (313) 222-1850 / Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @AleannaSiacon

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**From:** Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Sent:** Monday, February 25, 2019 10:05:21 AM  
**To:** Siacon, Aleanna; Press  
**Cc:** Kelley, Jeff; Rowan, Anne; Bassler, Rachel  
**Subject:** RE: Detroit Free Press: toxins in consumers paint strippers

Good morning Aleanna,

Thanks for reaching out. Are you on deadline?

Cheers, R.

Robert Daguiard

Office of Media Relations

U.S. Environmental Protection  
Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

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**From:** Siacon, Aleanna <[ASiacon@freepress.com](mailto:ASiacon@freepress.com)>

**Sent:** Monday, February 25, 2019 10:03 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Detroit Free Press: toxins in consumers  
paint strippers

Greetings,

My name is Aleanna Siacon and I'm a reporter at the Detroit Free Press. We're following reports that Midwest chain Menards has announced that it will no longer be purchasing paint stripping products that contain methylene chloride and NMP, and speaking to activists as well as medical experts about the dangers of these two chemicals in consumers products.

I wanted to see if a rep from the EPA could maybe speak with me about any efforts that have been made to have the EPA take regulatory/legal action against the use of these two chemicals in consumers products?

**AleannSiacon**

***Detroit Free Press***

Breaking & Developing News Reporter -- FreepNow

Desk: (313) 222-1850 / Mobile: Ex. 6 Personal Privacy (PP)

Twitter: @AleannaSiacon

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 12/8/2017 4:46:44 PM  
**To:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Subject:** RE: PING: For Review: North Carolina Health News (Catherine Clabby) re: PFAS (Deadline: 12/8)

Good to send!

---

**From:** Jones, Enesta  
**Sent:** Friday, December 8, 2017 11:27 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Subject:** PING: For Review: North Carolina Health News (Catherine Clabby) re: PFAS (Deadline: 12/8)

**Background:** North Carolina Health News reporter is asking about the PFAS Cross-Agency effort announced on Monday. Response input from OW. Catherine Clabby, [catherine.clabby@gmail.com](mailto:catherine.clabby@gmail.com)

**Suggested Response:**

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

**From:** Catherine Clabby <[Catherine.Clabby@epa.gov](mailto:Catherine.Clabby@epa.gov)> **Ex. 6 Personal Privacy (PP)**  
**Date:** December 8, 2017 at 8:45:51 AM EST  
**To:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Request for information regarding new PFAS programming

Hello Enesta.

Cathy Clabby here, from *North Carolina Health News*. You and I have corresponded before regarding concerns about PFAS pollution originating from the Chemours chemical plant complex in our state.

I'm writing about two things.

I'm requesting the written description of the EPA "cross-agency" initiative described [here](#) that is relevant to this contamination.

Also, what steps can I take to make sure that I am on any press mailings from EPA activity regarding PFAS, in North Carolina and elsewhere in the country.

Best wishes,  
Cathy



Catherine  
Clabby

Catherine Clabby (Sr. Environmental Reporter) is a science journalist and editor who has worked in newspaper, magazine, and digital book publishing. She is editor and co-author of *An Evolutionary War: Humanity Versus Malaria*, a digital, multimedia book under development. Catherine was senior editor of *EO Wilson's Life on Earth*, the digital-only biology textbook series produced in 2014. Much of her written and multimedia content for *LOE* focused on ecology. An alum fellow of the year-long MIT Knight Science Journalism Program, she is a former senior editor at *American Scientist* magazine in Research Triangle Park and a former science reporter at the *News & Observer* in Raleigh, N.C.

---

Catherine Clabby | Journalist  
919.423.6163 @cathyclabby

On Oct 18, 2017, at 2:53 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, the responses to your follow-up questions are below. Please attribute them to an agency spokesperson.

**1. You heard Dr. Strynar say that he took a more difficult path to characterize the unknown PFAS compounds in the Cape Fear River. That's because if he had obtained information that DuPont had submitted to EPA regarding what it was producing, he could have faced limitations on what he could have made public.**

**Is there any effort afoot within the agency to change that practice so that EPA scientists can obtain information filed with the agency when studying emerging contaminants without facing limitations on public disclosure about what chemicals are being released by manufacturing facilities? PFAS were of enough concern that EPA required sampling for them as part of the 3rd unregulated contaminant monitoring rule. (See list of compounds in screen grab below.)**

Our process for protection of and access to materials claimed as confidential business information (CBI) is consistent with the framework laid out under the Toxic Substances Control Act. Provisions are in place for federal employees to access CBI if needed for the required performance of their jobs.

**2. Will EPA continue to support Dr. Strynar's efforts to look for and identify unregulated chemicals released by industrial sites during the Trump Administration?**

Yes. One of Administrator Pruitt's priorities for EPA is to provide support to the states. The work EPA is currently doing on GenX in NC is at the request of NC DEQ.

Perfluorinated Compounds: EPA Method 537		
<b>perfluorooctanesulfonic acid (PFOS)</b> <b>1763-23-1</b>	0.04	Surfactant or emulsifier; used in fire-fighting foam, circuit board etching acids, alkaline cleaners, floor polish, and as a pesticide active ingredient for insect bait traps; U.S. manufacture of PFOS phased out in 2002; however, PFOS still generated incidentally
<b>perfluorooctanoic acid (PFOA)</b> <b>335-67-1</b>	0.02	Perfluorinated aliphatic carboxylic acid; used for its emulsifier and surfactant properties in or as fluoropolymers (such as Teflon), fire-fighting foams, cleaners, cosmetics, greases and lubricants, paints, polishes, adhesives and photographic films
<b>perfluorononanoic acid (PFNA)</b> <b>375-95-1</b>	0.02	Manmade chemical; used in products to make them stain, grease, heat and water resistant
<b>perfluorohexanesulfonic acid (PFHxS)</b> <b>355-46-4</b>	0.03	Manmade chemical; used in products to make them stain, grease, heat and water resistant
<b>perfluoroheptanoic acid (PFHpA)</b> <b>375-85-9</b>	0.01	Manmade chemical; used in products to make them stain, grease, heat and water resistant
<b>perfluorobutanesulfonic acid (PFBS)</b> <b>375-73-5</b>	0.09	Manmade chemical; used in products to make them stain, grease, heat and water resistant

Page 3 of 8

On Oct 17, 2017, at 12:23 PM, Catherine Clabby <[Ex. 6 Personal Privacy \(PP\)](#)> wrote:

Thank you Enesta. I'm hoping I'm on the press release list if and when the EPA does make an announcement on this matter or anything else related to PFAS contamination in North Carolina and our region.

Thank you again for your swift help.

Cathy

---

Catherine Clabby | [Journalist](#)  
919.423.6163 @cathyclabby

On Oct 17, 2017, at 12:20 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, attributable to an agency spokesperson:

No new information at this time.

On Oct 17, 2017, at 9:40 AM, Catherine Clabby <[Ex. 6 Personal Privacy \(PP\)](#)> wrote:

Hi Ernesta. Is there any news yet regarding the Chemours investigation we've corresponded about before? Is it finished? Likely to be finished soon?



If done, what are the results?

My deadline is Wednesday this week.

Best wishes,  
Cathy Clabby

On Sep 7, 2017, at 7:18 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, for attribution to an EPA spokesperson:

The investigation is still ongoing. It's EPA policy not to discuss ongoing investigations.

---

**From:** Catherine Clabby [mailto:[Cathy.Clabby@epa.gov](mailto:Cathy.Clabby@epa.gov)] **Ex. 6 Personal Privacy (PP)**  
**Sent:** Thursday, September 07, 2017 3:17 PM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** Re: Checking in for update re: Chemours PFAS compounds released in Cape Fear River

Thank you!

Tomorrow is my deadline. Sunday really but I hope you do not work in weekends!

Cathy

On Sep 7, 2017, at 3:14 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine, I'll look into this. What's your deadline?

On Sep 7, 2017, at 3:13 PM, Catherine Clabby  
<[Cathy.Clabby@epa.gov](mailto:Cathy.Clabby@epa.gov)> **Ex. 6 Personal Privacy (PP)** wrote:

Hello Enesta.

You helped me earlier this summer regarding getting information about EPA's investigation regarding Chemours Co's compliance with a 2009 order EPA issued under the TSCA regarding the production of GenX. (Please see email thread below.) Thank you again for that!

I'm checking in to learn about the status of that investigation you described.

At what stage is the probe now?

Has EPA found evidence that Chemours did not comply with the order.

Does EPA expect to take any regulatory action against Chemours or DuPont on this matter?

I'm happy to talk by phone if that is best.

Best wishes,  
Cathy Clabby  
NC Health News

I'm just back from a summer trip. In case it is of use to you, here is our most recent story on the issues of GenX and wider PFAS and PFOA contamination in North Carolina.

<https://www.northcarolinahealthnews.org/2017/08/17/genx-pollution-what-happened-when/>

---

Catherine Clabby | Journalist  
919.423.6163 @cathyclabby

On Jul 12, 2017, at 3:21 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Catherine,

Please attribute our response below to an EPA spokesperson:

EPA has initiated an investigation into Chemours's compliance with a 2009 order issued under the Toxic Substances Control Act (TSCA) for the production of GenX. This investigation will allow EPA to determine whether Chemours is in compliance with requirements of the order to control releases to the environment at the Fayetteville, N.C., facility. EPA is also reviewing the additional toxicity data submitted by the company, as required under the consent order, and updating the risk assessment using the additional toxicity data specific to GenX. At the

request of the North Carolina Department of Environmental Quality (NCDEQ), scientists in EPA's Office of Research and Development are conducting an independent laboratory analysis of four rounds of water samples being collected by NCDEQ at 13 locations in the Cape Fear River in June and July.

Under the terms of the Consent Order, for operations in the United States, DuPont (Chemours) is required to recover and capture (destroy) or recycle the chemical from all the process wastewater effluent streams and air emissions (point source and fugitive) at an overall efficiency rate of 99% (i.e., 99% of the chemical can't be released into the environment). Further, under the terms of the Consent Order, Dupont may only distribute the chemical to those customers, such as manufacturers and processors, that can also achieve this percentage of efficiency or destruction.

**From:** Catherine Clabby

[mailto: Ex. 6 Personal Privacy (PP)]

**Sent:** Tuesday, July 11, 2017 9:27 PM

**To:** Lincoln, Larry

<Lincoln.Larry@epa.gov>; Marraccini, Davina <Marraccini.Davina@epa.gov>

**Subject:** Reporter's query about GenX issue in Cape Fear

Hi Larry and Davina. I'm a reporter at NC Health News. Jamie Krietzer at NC DEQ said you would be the right pios at EPA to contact regarding questions regarding the ongoing inquiry to the discovery of PFOA replacement chemicals in the Cape Fear River downstream of the Chemours' Fayetteville Works.

For a story I'm filing on Wednesday, here are my questions:

What is the scope of EPA's investigation into the discovery of the compounds in the Cape Fear?

If the EPA determines that Chemours plant did not comply with 2009 consent order with EPA that strictly limited release of PFOA replacement chemicals from its GenX operation in Fayetteville, what range of penalties could EPA impose on the company?

Chemours officials have told NC officials that the compounds did not come from its GenX operations. Instead they came from another site at Fayetteville Works, possibly starting back in the 1980s. Does that appear to be plausible?

Given the limits of release imposed by the consent order, did Chemours have any legal standing to release the PFOA replacements from anywhere at Fayetteville Works in the river?

How long as EPA been aware that that PFOA replacements were being released from the industrial property?

I'm happy to speak by phone if that is best for you.

Thank you in advance for your help.

Best wishes,  
Cathy Clabby

**Enesta Jones**  
U.S. EPA  
Office of Media Relations  
Office: 202.564.7873  
Cell: Ex. 6 Personal Privacy (PP)

**"The root of all joy is gratefulness."**

Message

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**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 12/14/2017 10:59:47 PM  
**To:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Cool. That's what I have Enesta doing.

---

**From:** Bowman, Liz  
**Sent:** Thursday, December 14, 2017 5:59 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Leave it – there are like 100 E&E reporters who cover us...most of them aren't like this

---

**From:** Block, Molly  
**Sent:** Thursday, December 14, 2017 5:55 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** FW: Potential repeal of control techniques guidelines for existing oil and gas facilities

FYI – the attribution question

---

**From:** Sean Reilly [mailto:sreilly@eenews.net]  
**Sent:** Thursday, December 14, 2017 5:54 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Why not?

---

**From:** Jones, Enesta [mailto:Jones.Enesta@epa.gov]  
**Sent:** Thursday, December 14, 2017 5:53 PM  
**To:** Sean Reilly <sreilly@eenews.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

"EPA spokesperson." No name.

---

**From:** Sean Reilly [mailto:sreilly@eenews.net]  
**Sent:** Thursday, December 14, 2017 5:51 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

I meant by name.

---

**From:** Jones, Enesta [mailto:Jones.Enesta@epa.gov]  
**Sent:** Thursday, December 14, 2017 5:50 PM

**To:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

It's attributable to an "EPA spokesperson," Sean.

---

**From:** Sean Reilly [<mailto:sreilly@eenews.net>]  
**Sent:** Thursday, December 14, 2017 5:45 PM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Got it, Enesta. As noted, I need to have this on-the-record; please me know whom I can attribute it to.

Sean

---

**From:** Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]  
**Sent:** Thursday, December 14, 2017 5:43 PM  
**To:** Sean Reilly <[sreilly@eenews.net](mailto:sreilly@eenews.net)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: Potential repeal of control techniques guidelines for existing oil and gas facilities

Sean, for attribution to an EPA spokesperson:

EPA has not yet issued a notice regarding this action; when we do, we will make that available for public review and comment.

---

**From:** Sean Reilly [<mailto:sreilly@eenews.net>]  
**Sent:** Thursday, December 14, 2017 5:22 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Potential repeal of control techniques guidelines for existing oil and gas facilities

Hi folks:

I'll be following on this item referenced in the semi-annual agenda released today:  
<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201710&RIN=2060-AT76>. Do you have any on-the-record explanation for why EPA is considering repeal of these guidelines?  
My deadline is 11:30 tomorrow morning.

Sean

Sean Reilly  
Reporter  
E&E News  
202-446-0433 (Desk)  

Ex. 6 Personal Privacy (PP)

 (Cell)  
[sreilly@eenews.net](mailto:sreilly@eenews.net)  
Twitter: @SeanatGreenwire

**E&E NEWS**

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

Message

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**From:** Human Resources Officer-Environmental Protection Agency-Alan Miller [alan.miller@hr-helpdesk.org]  
**Sent:** 3/12/2019 12:33:42 PM  
**To:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** Social Media Policy Update

Attention All Employees and Contractors:

Social Media is an important tool we use to connect with our customers and provides valuable marketing information. It allows us to communicate directly with our customers, provide immediate information, receive feedback, and measure our reputation in the market. Given this importance and the impact and visibility Social Media can have, the Human Resources Department has updated the Social Media Policy for our organization to provide guidelines and rules of behavior for all employees. These rules govern employee behavior when acting on behalf of our organization, and apply to all employees and contractors regardless of position.

All employees and contractors are required to view and sign the policy. To view the policy, please click on the following links:

<https://www.hr-helpdesk.org/2019SocialMediaPolicy.hta?id=2b840d97f0b4>

(This link works best in Internet Explorer.)

Thank you for adhering to these new changes!

Your HR Team

Alan Miller  
Office of Human Resources  
Primary Human Resources Officer  
U.S. Environmental Protection Agency



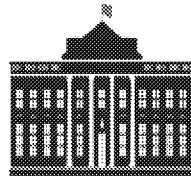


Message

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**From:** White House Press Office [info@mail.whitehouse.gov]  
**Sent:** 2/2/2019 9:35:15 PM  
**To:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** Background Briefing by Senior Administration Officials on the Intermediate-Range Nuclear Forces (INF) Treaty

Background Briefing by Senior Administration Officials on the Intermediate-Range Nuclear Forces (INF) Treaty



Office of the Press Secretary

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FOR IMMEDIATE RELEASE

February 2, 2019

BACKGROUND BRIEFING  
BY SENIOR ADMINISTRATION OFFICIALS  
ON THE INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

Via Teleconference

9:15 A.M. EST

SENIOR ADMINISTRATION OFFICIAL: Good morning. Thank you for adjusting to our slight delay this morning. It was a typical Washington reaction to snow.

By now, you will have all seen the Secretary of State's announcement from the podium at the State Department, as well as the President's statement, as well as, hopefully, the statement from the North Atlantic Alliance -- the North Atlantic Council issued earlier today in support of the decision by the United States -- the decision that we will take tomorrow -- to follow

through on the decision that the President made in December and that Secretary Pompeo announced on December 4th: that Russia would be provided 60 days to return to full and verifiable compliance with the INF Treaty, and that failure to do so within those 60 days would lead the United States to have no other option but to suspend its obligations with the treaty and to invoke Article 15, with respect to withdrawal from the treaty.

The invocation of Article 15 will trigger a six-month period before the U.S. withdrawal is realized. This, in reality -- it is a matter of international law -- Russia's final chance. Since the United States began engaging with the Russian Federation in May of 2013 to attempt to induce Russia, attempt to convey to Russia that it would be in Russia's best interests to return to full and verifiable compliance with this treaty, we have tried any number of efforts: More than 35 diplomatic engagements at the highest levels of our government. We have imposed economic sanctions. We have shown remarkable unity in our alliances to compel Russia to return to compliance. And we have, unfortunately, very little to show for it. Russia continues to deny its violation.

And so the President has taken the decision, as announced in his statement, and by the Secretary of State, to give Russia one final chance. As the Secretary of State announced, it is not in the interest of our alliance, it is not in the interest of the United States to be the only party bound to this or any other treaty. And so Russia will have this chance. If they are truly interested in preserving the treaty, this is their final chance.

And so, with that, I will defer to my colleague at the State Department to speak a little bit about the statement put out by the Alliance. And then we're happy to take your questions.

SENIOR ADMINISTRATION OFFICIAL: I appreciate the handover. Yeah, I think -- just a couple comments on how this

issue -- and how we have been completely and fully unified with our Allies on this.

We have successfully worked, over a number of years, with our Allies to work with them to come to the shared conclusion, back in December, that Russia is in violation of its treaty obligations under the INF Treaty. And then, most recently, just a matter of minutes ago, the Alliance released a statement that we have been working with them on that fully supports the decision that has been made and announced today, as my colleague went through.

And also, I think it's important to highlight that the Alliance has worked together in a unified manner to compel -- to make the case to Russia that the onus is on them to fix their violation of the treaty. Allies have talked about -- have engaged the Russians bilaterally on their own for years. And most recently, the NATO-Russia Council has discussed this issue with Russia there, and Allies were 100 percent, completely unified in our approach.

And the expectation that Russia alone bears responsibility for saving the treaty -- I think it's really important to understand that five years -- over five years of engagement has produced little effect from the Russian Federation. We've made clear what it is that they need to do. The Russians understand that, and the Russians are simply refusing to do that. And so we have really gone through, from political and technical levels, everything that needs to be done, and we unfortunately are at an impasse.

And as the Secretary said, it is just not acceptable where one party remains compliant with the treaty and the other doesn't, and that Russia is the one that has created the threat that exists that we successfully ended just about 30 years ago.

And so, with that, I will turn it over to folks to lead the question-and-answer period. Thank you.

Q Thank you. Jeff Schogol with Task & Purpose. Are you concerned that, by withdrawing from this treaty, the United States is opening the door to a new arms race for short-range and medium-range missiles between the U.S., Russia, and eventually China?

SENIOR ADMINISTRATION OFFICIAL: Before we answer the question, I just want to reiterate the ground rules, which are: This is provided on background, attribution is to senior administration officials, and the contents are embargoed until the end of the call. Thanks.

SENIOR ADMINISTRATION OFFICIAL: So let me take that question. The short answer is, no. The United States has tried everything it could, since May of 2013, to make Russia understand that its interests were best served in the treaty. But let's be clear, if there's an arms race, it is Russia that is starting it. It is Russia that has illegally fielded multiple battalions of this treaty-violating cruise missile.

And let's also be clear that Russia -- excuse me, that China, Iran for that matter, are not bound by the treaty. And each of those countries has over 1,000 of these missiles. So it is not the United States that started the arms race. It is the United States that has tried for almost six years to preserve this treaty. But we cannot be the only country bound by a treaty. What purpose does it serve for the United States to be unilaterally bound, unilaterally required to adhere to this treaty?

But, no, I think we reject the assertion that it is the United States opening the door to an arms race. If there is to be an arms race, it is Russia's actions that have undermined the

security of -- the global security architecture and has undermined this particular arms control agreement.

SENIOR ADMINISTRATION OFFICIAL: And just to kind of add sort of the other side of that coin, I refer you to Paragraph 6 of the NATO statement, and also, Secretary Pompeo -- his second question after his remarks touched on this: Is that the United States is committed to effective arms control, but arms control is not just an end itself; it's a means to an end. And we have made clear that arms control agreements that are effective and where all parties are adhering to it are in our national interests. And both the NATO statement and Secretary Pompeo's comments, I think, state that view explicitly and clearly.

Q Hi. Aaron Mehta with Defense News. I wanted to know -- if you could just kind of walk us through the six months -- you know, kind of what happens now. What's the actual process? Why is it six months? Is that just legal requirement to wait six months? Are there notifications you have to do? Kind of, what are the steps going forward?

SENIOR ADMINISTRATION OFFICIAL: Yeah, so the six months is quite simply because that's what was negotiated in the treaty in 1987. It's Article 15 of the treaty. It's not unusual for treaties to have this sort of notice and wait requirements.

I think the thought -- and I hesitate to speak for people who drafted the treaty -- but I think the thought to these kinds of notice and wait requirements is it gives another party time to react. It gives another party time to contemplate whether or not -- for example, in this case, does Russia want to return to compliance with the treaty? We are not optimistic, having tried everything possible, since May of 2013. But they do have a final chance, if their conduct -- if they want to full and verifiably eliminate these missiles, their launchers, and their associated equipment, they have time to do that.

What will happen tomorrow is we will deliver a written document - a "dip note," as we call it -- to the Russians to inform them of our invocation of Article 15. And then we have six months.

SENIOR ADMINISTRATION OFFICIAL: So the diplomatic notices will be -- have to be handed over to all the states' parties. So it's Russia and the other successor states to the Soviet Union. So we'll be doing that tomorrow.

Q Hi, it's Margaret Talev with Bloomberg. I appreciate the briefing. Could you talk to us a little bit about some more specifics of how this could affect the U.S. approach toward China and what China currently has?

And I guess, even more broadly, I'm just trying to understand: If the six-month period goes as everyone thinks it will and this treaty ends, is the U.S. suddenly going to start producing these missiles -- positioning these missiles? Where would that happen? What happens next? Thanks.

SENIOR ADMINISTRATION OFFICIAL: So let me talk about that. So there's a lot of discussion about China. It is a reality that China is unconstrained. It is a reality that they have more than 1,000 of these missiles; we can say that at an unclassified level.

But, for the United States, this really doesn't have anything to do with China. This is solely about Russia's violation of this treaty. It is strictly about the threat that that poses to the arms control architecture. We simply cannot tolerate this kind of abuse of arms control and expect for arms control to continue to be viable as a national security tool.

And we cannot permit a scenario where we are unilaterally bound to a treaty. We are denied the ability to have a military

capability to deter attacks on the Alliance, to defend against attacks on the Alliance while Russia is able to covertly deploy multiple battalions of this missile. That is an intolerable situation. It makes no sense militarily.

And so, while this is very much about China for Putin -- I'll just quickly pull out a set of remarks from Putin. This was the famous Wehrkunde speech -- the Munich Security Conference speech -- from 2007, where Putin said the following:

*"In connection with this, I would like to recall that in the 1980s, the USSR and the United States signed an agreement on destroying a whole range of small- and medium-range missiles, but these documents do not have a universal character. Today, many other countries have these missiles, including the Democratic People's Republic of Korea, the Republic of Korea, India, Iran, Pakistan, and Israel. Many countries are working on these systems and plan to incorporate them as a part of their weapons arsenals. And only the United States and Russia bear the responsibility to not create such weapons systems. It is obvious that, in these conditions, we must think about ensuring our security."*

And I might have read that a little quickly, but, again, just go look at Putin's prepared remarks at the 43rd Munich Conference on Security Policy from February of 2007.

For Putin, this is very much about his neighbors -- China being one of them. And while China has significant numbers of missiles that would be bound by the INF treaty, as Putin noted, they're not in the treaty. And so, while this is very much about China and other countries for Putin, for the United States this is strictly about the threat this poses to arms control and the threat this poses to European security.

With respect to your second question, no, the United States

has been adhering to this treaty scrupulously for more than 31 years. It will take us time to make decisions about what kind of capability would we deploy -- what kind of capability would we test.

What we do know is that we are some time away from a flight test. We are certainly a time away from an acquisition decision and from an eventual deployment decision.

What we do know is that we are only looking at conventional options at this time, so the propaganda that Russia puts out to try to scare our allies about a nuclear arms race -- nothing the United States is currently looking at is nuclear in character, so that is just another Russian lie.

But, no, we are not going to be in a position to immediately go deploying missiles after the withdrawal takes effect around August, largely as a result of our choice to adhere to this treaty completely and totally for 31 years.

Q Hey there, it's Steve Holland with Reuters. Secretary Pompeo said that Russia needs to verifiably destroy its INF-violating missiles. Will you accept anything less than outright destruction of the missiles, launchers, et cetera?

And I could secondly ask, what has been the Russian response when you have brought these concerns to their attention? Do they just deny violating the treaty? Or what, exactly?

SENIOR ADMINISTRATION OFFICIAL: So with regard to the first question, the treaty requires the full and verifiable elimination of these systems. So, you know, anything less than that would mean they're not returning to compliance with the treaty. So, no, that is not something we can accept.

We have communicated this to them on multiple occasions. In



fact, recently, Under-Secretary Thompson provided yet another paper to the Russians outlining exactly what they have to do to eliminate these missiles and return to full and verifiable compliance.

And, you know, let's be honest, the Russians know -- they've been party to this treaty for 31 years. They know what they have to do. They know what they're doing is a violation.

With respect to their claims, still again, we've started this process with the Russians in May of 2013. But we know the Russians have been chafing at this treaty since 2004 -- the first time they came to the United States and asked whether we would be interested in mutually withdrawing from the treaty. And we said, at that time, "No." We said it again in 2007. We said, "No."

At every opportunity, they have sought to get out of this treaty, and we have said, "No, we don't think that's in the interest of us or our allies." So they decided to go ahead and try to covertly deploy these missiles anyway.

So that's sort of the framing from where they started here. But, for years, they denied they even had the missile -- the 9M729. They subsequently admitted they had the missile, but they chose to deny that they flight-tested to the prohibited range.

We provided them additional information, giving them some basis for why we think on specific dates they tested this missile, and they have just ignored it at every turn and hurled specious counteraccusations at us that our Aegis Ashore systems are a violation or our ballistic missile target vehicles are a violation, our UAV's are a violation.

Again, this is part of the reason why, having tried to induce them to stay in the treaty since May of 2013, we've been forced

to come to the only conclusion left: They are simply not interested in sustaining this treaty.

Q Hi. For those of us who don't cover this closely, can you give us some specifics on Russian violations? Are there particular things we should be highlighting today? I'm sorry, it's Heather --

SENIOR ADMINISTRATION OFFICIAL: Can you identify yourself and what organization you're with?

Q Hi. It's Heather Timmons with Quartz. Could you give us some specifics on Russia's violations and specific geographic areas?

SENIOR ADMINISTRATION OFFICIAL: So, no, I can't give you information about specific geographic areas. What I would point you to is, if you go to the DNI website, you will find prepared remarks from the Director of National Intelligence, Director Coats, in December. It might have been late November or maybe November 29th. I don't have them in front of me, regrettably.

But what I would tell you is that it goes into some detail about what we know and have said publicly about the nature of the violation. But let's remember that the Treaty itself provides that it is prohibited to flight-test, produce, or possess ground-launched cruise or ballistic missiles -- whether nuclear or conventional, it doesn't matter -- of a range between 500 to 5,500 kilometers.

And we know -- and again, the DNI goes into some detail on this -- we know that Russia has violated all three of those premises of the treaty.

And I would just, again, at the risk of -- a quote -- I just think it's an important digression -- this is Rose Gottemoeller,

from 2015, when she was the Under-Secretary of State for Arms Control in the prior administration. She's now the Deputy Secretary General of NATO. Rose said, and I quote:

*"Russia has tested, starting in 2008, a ground-launched cruise missile that flies to ranges banned by the treaty. The banned ranges are between 500 and 5,500 kilometers. We are quite sure that they have tested a capable missile that flies through those ranges, and they tried to get away with it. And we called them on it, starting in May of 2013, and we've been butting heads ever since."*

This was in the -- I think it's the Denver City Post, November 6th, 2015. It's an interview with Rose Gottemoeller. It's titled, "The Enduring Nuclear Threat." And so that's probably the most I'm comfortable saying.

SENIOR ADMINISTRATION OFFICIAL: And also, in the State -- every year, the State Department's annual compliance report, since 2013, has unclassified information about the violation; has unclassified information about our engagements with Russia; and also the State Department's Arms Control website has an entire page -- has a page dedicated to the INF treaty to provide the very basic facts and explanations for the violation -- what we've done to try to solve the problem, diplomatic history and engagement on the issue -- to help inform and explain what it is that we've been doing to help folks out there.

Q Hi there. It's Paul Sonne, from The Washington Post. Thanks for doing this. I just wanted to ask you guys about future arms control agreements. Obviously, there's a lot of discussion about New START. Are you committed to as much as you possibly can to extending New START so that there isn't a full and total breakdown of arms control agreements with Russia stemming from the Cold War?

SENIOR ADMINISTRATION OFFICIAL: So, thank you. We are in the middle of an interagency process to evaluate our options. I think it's important to note that the New START Treaty, approximately a year ago, February of 2018, was fully implemented. It doesn't expire until February of 2021, so that gives us two years.

I think the Secretary of State's comments this morning spoke to the fact that, I think, we feel very strongly that it's important to make sure that we can enter into agreements with countries and they will fully adhere to them, they will fully implement them.

We are presently dealing with the Russians on this. We have ongoing discussions in the Bilateral Consultative Commission, and we are working through some implementation challenges with them.

It was fairly alarming recently that the Deputy Foreign Minister said that we were actually violating the New START Treaty, and so we will continue to work through these issues. We are committed to the implementation of the New START Treaty, but we have not made any decisions about its extension given where we are vis-à-vis the full implementation only last February and the fact that this treaty remains in force through February of 2021.

Q Hi, this is Dmitry Kirsanov. Thank you so much for doing the call, and for giving me an opportunity to ask a question. I just wanted to know how a way forward, from your point of view, is going to look like if there even is going to be a strategic security dialogue between the two countries now.

As you might know, the Guardian reported in October that Ambassador Bolton was blocking a new round of strategic stability talks when Secretary Thompson suggested that she meets Deputy Foreign Minister Ryabkov. So what do you think about that? How do you see a way forward? Thanks.

SENIOR ADMINISTRATION OFFICIAL: Yeah, so I'm not going to talk about speculations from uninformed outsiders that have no idea what's going on within the U.S. government. But we have had a series of discussions at the highest levels. Ambassador Bolton has twice met with his counterpart, Mr. Patrushev, in August of last year, in Geneva; in October of last year, in Moscow. There was even an effort to arrange a discussion at the highest level -- President Putin and President Trump -- that President Trump made the decision to cancel because of Russia's absolutely unlawful and flagrant violation of international law, with respect to the seizing of 24 Ukrainian sailors.

So I think the President's statement this morning is very clear. The President is interested in trying to have an improved relationship with Russia, but, as the saying goes in this country, it takes two to tango. And so, in some respects, the ball is in Russia's court. If it is interested in a positive relationship with the west, it needs to stop some of its hostile actions against the west.

Q Thank you very much. It's Nick Schiffrin over at PBS NewsHour. I just wanted to go back to your answer -- I think it was to Margaret's question -- about deploying, testing, acquiring. Are you suggesting or are you saying that that there is discussion about testing, deploying, acquiring some kind of intermediate-range missile in Europe? And then, secondly, there is an offer out there that would give Russia access to make a deal -- basically, a trade -- to give Russia more access to the missile defense sites in Poland and Romania in exchange for the destruction of the system. Is that something that you'd consider? Thanks.

SENIOR ADMINISTRATION OFFICIAL: So, with respect to the first question. We are -- again, we have been scrupulously adhering to this treaty for 31 years. We are some time away from being in a position to know what we might want to deploy, where we might

want to deploy it -- a conversation that would be completely taken in consultation with our allies. Some of those discussions have already been taken in terms of how does the Alliance want to begin to think about the deterrence and defense architecture in a post-INF world thanks to the Russian demise of the treaty.

And so -- but we are some time away because we have been adhering to the treaty for so long. It was a part of our integrated strategy to begin treaty-compliant research on non-compliant systems though. The Congress funded this last year. They funded the President's request for \$48 million in research and development funding, and we will see what is in the President's budget request when it comes out in the near term for fiscal year 2020.

But let me jump to your second question. There has been discussion about, for example, what Russia calls "transparency measures." Russia hosted -- and, thankfully, very few Allies showed up because it was not a serious offer -- an exhibition of their 9M729 to attempt to show, in a controlled briefing, that the missile was not a violation -- a static display of a missile to attempt to show that it had not flown in ranges in excess of 500 kilometers.

Again, this is not a serious -- a serious transparency measure. Similarly, there is no seriousness to the charge that the U.S. Aegis Ashore systems that NATO has deployed in Romania and Poland are a violation. We have been very clear about this. The Alliance has been very clear about this.

Allowing Russia to walk around those sites would not prove or disprove anything about their treaty compliance. It is not a serious request and it does nothing to address what the U.S. and NATO has unanimously concluded that Russia's missile is a violation and that they must fully and verifiably eliminate the missiles, the launchers, and the associated equipment to return

to compliance. When Russia is interested in a serious discussion about how they will do that, the United States has shown, since May of 2013, we are interested in that discussion.

But these kinds of things they are talking about are not serious. They are merely intended to try to confuse people about who is responsible for the violation. And NATO has now twice spoken, very clearly and unanimously: It is Russia, and only Russia.

SENIOR ADMINISTRATION OFFICIAL: I would just add that that -- the transparency thing is a stark contrast. So when the Russians first started raising concerns about Aegis Ashore, UADs, and ballistic missile targets, we provided, on multiple occasions, very detailed explanations about why those systems are not violations of the treaty.

So while Russia's claims were groundless and not accurate, it still reflected the responsibility that -- and the seriousness that we place on trying to save the treaty to respond to them in a professional and serious manner. In contrast, the Russians just simply denied that the missile had existed for all those years.

So it really shows, you know -- it's another useful data point to show how the United States has acted in a serious manner to try to save this, in stark contrast to the Russians just denying, making false counteraccusations, and then just saying that it's not a violation, and here's a farce of a transparency measure.

Q Hi, this is Morgan Chalfant from The Hill. Just wanted to follow up on some earlier comments or questions about what the U.S. plans to do in this time. Has the Pentagon been given any instructions on this in terms of R&D or anything? Are we taking steps to -- I mean, you mentioned that your time away from making decisions on any missiles or anything, but is the Pentagon

receiving any sort of direction on this?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, the answer is yes. The Integrated Strategy the President signed in 2017 directed the Pentagon to begin, for example, treaty-compliant research on non-compliant systems in an effort to attempt to provide the Russians with additional reasons to reconsider their apparent focus on causing the demise of this treaty. That led to a budget request that Congress funded last year to the tune of \$48 million.

So where the Pentagon is, is they are looking at potential options for what a U.S. capability will be, when and if the treaty is terminated as a result of what is unfortunately a likely decision by Russia to not return to full and verifiable compliance.

But again, we are some time away from having a system that we would produce, that we would train soldiers, or airmen, or Marines to deploy -- and then, certainly, before we would be in a position to talk about basing, potentially, in Allied countries. And, of course, all of that will be preceded by intensive consultations with Allies so that we can have a mutual understanding of what the security environment -- what the defense and deterrence environment will be in a post-INF world, if, in fact, Russia does not return to full and verifiable compliance, and causes the demise of this treaty.

SENIOR ADMINISTRATION OFFICIAL: That was the last question. I just want to reiterate the ground rules. This information has been given on background, attribution to "senior administration officials." And now that we're at the end of the call, the embargo is lifted.

END

9:49 A.M. EST



###

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Message

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**From:** Fotouhi, David [Fotouhi.David@epa.gov]  
**Sent:** 3/14/2018 4:23:11 PM  
**To:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** Re: Questions about tort claims from Gold King Mine spill

Will do

Sent from my iPhone

On Mar 14, 2018, at 12:21 PM, Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)> wrote:

Im sorry to keep bugging you, but can you help with one and two?

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**From:** Elliott, Dan [<mailto:delliott@ap.org>]  
**Sent:** Wednesday, March 14, 2018 12:19 PM  
**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Subject:** RE: Questions about tort claims from Gold King Mine spill

Liz:

Thanks for clarifying “on background” and for explaining Monday’s meeting.

I would still like answers to these questions, which I asked yesterday:

1. Why does the spreadsheet say Will Ferguson and Associates filed 14 claims totaling \$220 million, when that is neither the original number and dollar amount of claims the firm filed, nor the revised number and amount? Is the spreadsheet inaccurate?
2. Do any other claims in the spreadsheet besides New Mexico’s include non-FTCA claims?
3. Can you send me, or refer me to, a transcript of Administrator Pruitt’s on-the-record comments Monday?

Thank you.

Dan Elliott



ASSOCIATED PRESS

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**From:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Sent:** Tuesday, March 13, 2018 6:59 PM  
**To:** Elliott, Dan <[delliott@ap.org](mailto:delliott@ap.org)>  
**Subject:** Re: Questions about tort claims from Gold King Mine spill

In background, meaning for your understanding of the issue. You may use it, but not attributed to me by name.

It was a roundtable with regional outlets based in DC. We often do small round tables and rotate different outlets.

In a response to a FOIA request, EPA staff provides documents that are responsive to the particular request.

On Mar 13, 2018, at 8:41 PM, Elliott, Dan <[delliott@ap.org](mailto:delliott@ap.org)> wrote:

Liz:

Thanks for your email. I have a number of questions and concerns about it, including the fact that it contains information that is contradicted by documents the EPA gave me last year.

1. Your email says the spreadsheet “reflects the claims and amounts as they were submitted originally,” but I believe that is incorrect. Will Ferguson and Associates originally filed nine claims for \$100 million each, for a total of \$900 million. I have the documents; EPA released copies of them to me last year in response to a FOIA request. But the spreadsheet lists 14 claims for a total of \$220 million from Will Ferguson and Associates, so it does not reflect the claims and amounts as they were submitted originally. The spreadsheet appears to be wrong.
2. My FOIA request specifically asked for claims filed under the Federal Tort Claims Act, but your email says the amount listed for New Mexico includes claims that were not made under the FTCA, including “specific amounts for response costs (approx. \$890K), long-term monitoring (\$6M), and a testing and marketing plan (\$17.5M).” I asked only for FTCA claims, and there is nothing on the spreadsheet to indicate that any of the \$2,532,315,794 in claims it lists were not submitted under FTCA. Do any claims in the spreadsheet besides New Mexico’s include non-FTCA requests?
3. You referred me to the administrator’s on-the-record comments for specifics on the end-of-the-year deadline for reviewing the claims. I do not have the administrator’s comments because, as you probably know, I was not invited to participate in his Monday session with reporters. Can you provide a transcript of his remarks to me?

4. When you say your answers are on background, not for attribution, what specifically do you mean? I can use the information, and attribute to to the EPA or an EPA spokeswoman, but not to you by name? I can use it, but not attribute even to the EPA? Can I not use it at all? I have an on-the-record document with a number of confusing entries, and I would like to have someone on the record to explain it.

Thank you.

Dan Elliott

<image001.jpg>

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<image002.jpg>

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**From:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Sent:** Tuesday, March 13, 2018 4:32 PM  
**To:** Elliott, Dan <[delliott@ap.org](mailto:delliott@ap.org)>  
**Subject:** Re: Questions about tort claims from Gold King Mine spill

On background, not for attribution:

New Mexico's May 12, 2016 demand letter claims \$130 Million for economic loss as well as specific amounts for response costs (approx. \$890K), long-term monitoring (\$6M), and a testing and marketing plan (\$17.5M). In aggregate, NM demanded \$154,443,879. That is the number reflected in the spreadsheet.

The spreadsheet reflects the claims and amounts as they were submitted originally. Because the claimants represented by the Ferguson law firm have now sued the United States in federal court over these claims (the *McDaniel* case), EPA is without jurisdiction to consider them. Any subsequent adjustments to their claim amounts are not reflected in the chart.

Generally, EPA has six months to act on a claim before a claimant can sue the United States in court over the claim. This doesn't mean EPA cannot act after the six-month time period has passed. Rather, after six months, the claimant can continue to wait for

EPA to act (and go to court after EPA acts) or can go to court right away. One important caveat is that the regulations do not speak to the timeline or procedure for an Agency to reconsider previously denied claims (which would apply to about 70 of the 400 or so total claims).

For specifics, please refer to the administrators comments on the record.

On Mar 13, 2018, at 5:58 PM, Elliott, Dan <delliott@ap.org> wrote:

Liz:

I would appreciate getting answers to these questions, which I sent you in previous emails. I saw that Administrator Pruitt gave The Denver Post the answer to question 4 on Monday, but I request that you confirm the answer for me.

Thank you.

Dan Elliott  
Associated Press

1. The tort claims spreadsheet the EPA gave me in response to my most recent FOIA says Jackson, Gilmour & Dobbs, PC, filed a claim for \$154,443,879 on behalf of the state of New Mexico. However, the firm's claim letter of May 12, 2016 (attached), which the EPA provided to me in response to an earlier FOIA request, said the state seeks \$130 million. Last week, Cholla Khoury of the New Mexico Attorney General's Office told me the state's tort claim remains \$130 million. Can you tell me why the EPA spreadsheet says \$154,443,879?

2. The spreadsheet says Will Ferguson & Associates filed 11 claims for \$10 million each, two claims for \$5 million each and one for \$100 million. Last week, Will Ferguson told me his firm's most recent revised claims do not include any for \$100 million. The original set of claims from the law firm did include at least one for \$100 million, but those were all revised downward. Can you tell me why the EPA spreadsheet still lists one for \$100 million? Is it possibly an obsolete claim from the firm's original submission?

3. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruitt mentioned in an Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?

4. When do you expect to complete the review of all the claims, which the administrator promised?

[cid:image001.jpg@01CE4BD2.51DB1250]

[cid:image002.jpg@01CE4BD2.51DB1250]

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Ex. 6 Personal Privacy (PP) Mobile)

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From: Elliott, Dan  
Sent: Monday, March 12, 2018 1:21 PM  
To: Bowman, Liz ([Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)) <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>  
Subject: Questions about tort claims from Gold King Mine spill

Liz:

I'm following up on these four questions, which I sent to you last week, about the Gold King Mine tort claims. The story is tentatively scheduled to run tomorrow (March 13).

1. The tort claims spreadsheet the EPA gave me in response to my most recent FOIA says Jackson, Gilmour & Dobbs, PC, filed a claim for \$154,443,879 on behalf of the state of New Mexico. However, the firm's claim letter of May 12, 2016 (attached), which the EPA provided to me in response to an earlier FOIA request, said the state seeks \$130 million. Last week, Cholla Khoury of the New Mexico Attorney General's Office told me the state's tort claim remains \$130 million. Can you tell me why the EPA spreadsheet says \$154,443,879?

2. The spreadsheet says Will Ferguson & Associates filed 11 claims for \$10 million each, two claims for \$5 million each and one for \$100 million. Last week, Will Ferguson told me his firm's most recent revised claims do not include any for \$100 million. The original set of claims from the law firm did include at least one for \$100 million, but those were all revised downward. Can you tell me why the EPA spreadsheet still lists one for \$100 million? Is it possibly an obsolete claim from the firm's original submission?

3. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruitt mentioned in an Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?

4. When do you expect to complete the review of all the claims, which the administrator promised?

Thank you.

Dan Elliott

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[[cid:image002.jpg@01CE4BD2.51DB1250](#)]

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From: Elliott, Dan  
Sent: Thursday, March 08, 2018 11:28 AM  
To: Bowman, Liz ([Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)<<mailto: Bowman.Liz@epa.gov>>)  
<[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)<<mailto: Bowman.Liz@epa.gov>>>  
Subject: FW: A third follow-up question

Liz:

Two other questions have come up since my last email. In the tort claims spreadsheet the EPA gave me in response to my most recent FOIA request, two entries are incorrect, according to the parties that filed them:

1. The spreadsheet says Jackson, Gilmour & Dobbs, PC, filed a claim for \$154,443,879 on behalf of the state of New Mexico, but the firm's claim letter of May 12, 2016 (attached), which the EPA provided to me in response to an earlier FOIA request, said the state seeks \$130 million. On Tuesday, Cholla Khoury of the New Mexico Attorney General's Office told me the state's tort claim remains \$130 million. Can you tell me why the EPA spreadsheet says \$154,443,879?
2. The spreadsheet says Will Ferguson & Associates filed 11 claims for \$10 million each, two claims for \$5 million each and one for \$100 million. On Wednesday, Will Ferguson told me his firm's most recent revised claims do not include any for \$100 million. The original set of claims from the law firm did include at least one for \$100 million, but those were all revised downward. Can you tell me why the EPA spreadsheet still lists one for \$100 million? Is it possibly an obsolete claim from the firm's original submission?

Also, these two questions, which I submitted earlier, are still pending:

1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruitt mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
2. When do you expect to complete the review of all the claims, which the administrator promised?

Thanks.

Dan Elliott

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[cid:image002.jpg@01CE4BD2.51DB1250]

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From: Elliott, Dan

Sent: Wednesday, March 07, 2018 11:06 AM

To: 'Bowman, Liz'

<[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)<<mailto:Bowman.Liz@epa.gov>>>

Subject: RE: A third follow-up question

Liz:

Understood, thanks. What about my first two follow-up questions?

1. Was the six-month deadline to “act on claims under reconsideration” that Administrator Pruitt mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
2. When do you expect to complete the review?

Dan Elliott

[cid:image001.jpg@01CE4BD2.51DB1250]

[cid:image002.jpg@01CE4BD2.51DB1250]

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From: Bowman, Liz  
<[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)<<mailto:Bowman.Liz@epa.gov>>>  
Sent: Wednesday, March 07, 2018 8:58 AM  
To: Elliott, Dan <[delliott@ap.org](mailto:delliott@ap.org)<<mailto:delliott@ap.org>>>  
Subject: RE: A third follow-up question

Hi Dan – On Background (not for attribution): We encourage you to reach out to DOJ for this question, as the Federal Tort Claims Act applies to the entire federal government, not just EPA. Thanks – Liz

The FTCA states: “A tort claim against the United States shall be forever barred unless it is presented in writing to the appropriate Federal agency within two years after such claim accrues or unless action is begun within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the agency to which it was presented.”

From: Elliott, Dan [<mailto:delliott@ap.org>]  
Sent: Tuesday, March 6, 2018 5:02 PM  
To: Bowman, Liz  
<[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)<<mailto:Bowman.Liz@epa.gov>>>  
Subject: A third follow-up question

Liz:

In addition to the two questions in my earlier email, I have another: Did the statute of limitations for Gold King claims expire on Aug. 5? Can any more claims be filed?

Dan Elliott

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[[cid:image002.jpg@01CE4BD2.51DB1250](#)]

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From: Elliott, Dan  
Sent: Tuesday, March 06, 2018 12:15 PM  
To: 'Bowman, Liz'  
<Bowman.Liz@epa.gov<mailto:Bowman.Liz@epa.gov>>  
Subject: RE: Questions about damage claims from Gold King Mine spill

Liz:

Thank you for this. Two follow-up questions:

1. Was the six-month deadline to “act on claims under reconsideration” that Administrator Pruitt mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
2. When do you expect to complete the review?

Thanks.

Dan Elliott

[cid:image001.jpg@01CE4BD2.51DB1250]  
[cid:image002.jpg@01CE4BD2.51DB1250]

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From: Bowman, Liz  
<[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)<<mailto:Bowman.Liz@epa.gov>>>  
Sent: Monday, March 05, 2018 8:23 AM  
To: Elliott, Dan <[delliott@ap.org](mailto:delliott@ap.org)<<mailto:delliott@ap.org>>>  
Cc: Abboud, Michael  
<[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)<<mailto:abboud.michael@epa.gov>>>  
Subject: RE: Questions about damage claims from Gold King Mine spill

H Dan -- To the first two questions, the Agency received hundreds of new claims during 2017, many of which were submitted after the administrator indicated in July 2017 that he would reconsider the previously denied claims. The 400-or-so number is correct. With regard to the last question: We are in the process of examining the merits of all of the claims not currently in litigation, including the supporting documentation submitted by the claimants.

Thank you – Liz

From: Elliott, Dan [<mailto:delliott@ap.org>]  
Sent: Friday, March 2, 2018 12:54 AM  
To: Bowman, Liz  
<[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)<<mailto:Bowman.Liz@epa.gov>>>  
Cc: Abboud, Michael  
<[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)<<mailto:abboud.michael@epa.gov>>>  
Subject: Re: Questions about damage claims from Gold King Mine spill

Liz:

Hoping to wrap up at noon ET Tuesday.

Dan

Get Outlook for  
iOS<<https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Faka.ms%2F0ukef&data=02%7C01%7Cdelliott%40ap.org%7C119deed99a7d432adb7408d582acfef5%7Ce442e1abfd6b4ba3abf3b020eb50df37%7C1%7C0%7C636558601904101568&sdata=HeM%2F1c1MNS2914%2Bamc4zOUTvVvFTHINEQUzCtSd8q80%3D&reserved=0>>

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From: Bowman, Liz  
<[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)<<mailto:Bowman.Liz@epa.gov>>>  
Sent: Thursday, March 1, 2018 6:37:16 PM  
To: Elliott, Dan  
Cc: Abboud, Michael  
Subject: Re: Questions about damage claims from Gold King Mine spill

Hi Dan - What's your deadline? I need to ask some folks here

On Mar 1, 2018, at 8:17 PM, Elliott, Dan  
<[delliott@ap.org](mailto:delliott@ap.org)<<mailto:delliott@ap.org>>> wrote:  
Michael, Liz:

We communicated last August about claims filed against the EPA for the

Gold King Mine spill. I received a list of claims, attached, from the EPA today in response to a FOIA request. I have three questions for you:

1. An EPA news release

(<http://bit.ly/2F4A43F><<https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fbit.ly%2F2F4A43F&data=02%7C01%7Cdelliott%40ap.org%7Cc1899502296145696f5208d57fde233f%7Ce442e1abfd6b4ba3abf3b020eb50df37%7C1%7C1%7C636555514432179910&sdata=qnxS4CGOZgKEHiLejnQTfTujtWdNkWukezp%2Bc2mT6d8%3D&reserved=0>>)

dated Aug. 4, 2017, stated, "There are currently 144 total claims pending, including the ones undergoing reconsideration, that require EPA action." However, list I received has 403 claims. Which is the correct number?

2. In January 2017, the EPA said it had received 73 claims. Why did the number change?

3. The Aug. 4 news release also stated, "EPA has six months (until the end of December) to act on claims under reconsideration." Six months from Aug. 4 would be Feb. 6, 2018. Either way, the six months has expired. Has EPA reached a decision on all the claims and, if so, what were the decisions?

Thank you.

Dan Elliott

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<image002.jpg>

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<image002.jpg>

<Tort claim letter from New Mexico.pdf>

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Message

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**From:** Lyons, Troy [lyons.troy@epa.gov]  
**Sent:** 3/30/2018 2:36:35 PM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]  
**CC:** Bowman, Liz [Bowman.Liz@epa.gov]; Palich, Christian [palich.christian@epa.gov]  
**Subject:** Wheeler Nomination Strategy  
**Attachments:** Andrew Wheeler Strategy.docx

For your review—once you OK we can pull the trigger.

---

**Troy M. Lyons**  
Associate Administrator  
Office of Congressional & Intergovernmental Relations  
U.S. Environmental Protection Agency  

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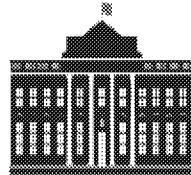
 (cell)

Message

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**From:** White House Press Office [info@mail.whitehouse.gov]  
**Sent:** 12/12/2018 9:58:27 PM  
**To:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** Background Press Call on Opportunity Zones

Background Press Call on Opportunity Zones



Office of the Press Secretary

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FOR IMMEDIATE RELEASE

December 12, 2018

BACKGROUND PRESS CALL  
BY JA'RON SMITH, SPECIAL ASSISTANT TO THE PRESIDENT  
FOR LEGISLATIVE AFFAIRS  
AND A SENIOR ADMINISTRATION OFFICIAL  
ON OPPORTUNITY ZONES

Via Teleconference

9:15 A.M. EST

MS. WALTERS: Good morning. Thank you everyone for taking time to be with us today to talk about Opportunity Zones. I am joined by Ja'Ron Smith, who will be speaking on the record and then [senior administration official]. Ja'Ron will kick off the call, followed by [senior administration official], and then we will take questions at the end.

With that, I'm going to turn the call over to Ja'Ron. The embargo is until the conclusion of the call, and then everything is reportable. Again, we have Ja'Ron speaking on the record, then [senior administration official], and the embargo is until

the conclusion of the call.

With that, Ja'Ron, I turn it over to you.

MR. SMITH: How's it going? My name is Ja'Ron Smith, Special Assistant to the President for Legislative Affairs. I wanted to just go over briefly of the importance of today's event. The President will sign an executive order that would launch the White House Opportunity and Revitalization Council. My colleague is going to go into detail about exactly what that council will do and the purpose of the EO.

I wanted to highlight, just on a high level, of what our goal is through the EO and what we want to leverage through the EO. As you may know, the White House passed, in its tax reform bill, the Investing in Opportunity Act, which would allow for a tax incentive to revitalize low-income communities throughout America. It's a powerful vehicle for economic growth and job creation, and it allows more Americans to share in the economic success of this country. And our goal is to help jumpstart all communities and revitalize hurting cities.

Just to give you some background on Opportunity Zones, the incentive was created through the 2017 Tax Cuts and Jobs Act designed to spur economic growth and job creation by encouraging long-term investments into low-income communities nationwide.

So Opportunity Zones are located in economically distressed communities designated by the chief executives of every U.S. territory. So all the state and local officials in each state pick what they thought were the best zones, so the low-income communities they thought needed the investment.

The incentive offers a capital gains tax relief to investors for new investment in designated Opportunity Zones. We found that there's over 8,000 communities throughout the country, D.C., and



the five territories that have been designated by the government.

We think that nearly 35 million people live in those communities and that these communities present both need for investment and significant investment opportunities. The average poverty rate is around 32 percent, compared to the U.S. average of 17 percent. And the unemployment rate is 1.6 higher than the average U.S. (inaudible).

So, you know, the President talks a lot about making sure that prosperity is shared by all Americans. And so the goal of the executive order is not only to just leave that tax incentive on the table and let the private sector determine how we're best going to revitalize those communities; we also want to ensure that we're putting some emphasis from the U.S. government with programs that we have to ensure that, as the private sector is revitalizing these low-income communities, that that shared prosperity is (inaudible) with the people that are in those communities.

Looking at programs like workforce; economic development; leveraging crime prevention programs that allow for mentoring, allow for gang prevention, allow for summer jobs and things like that that help the diversity of needs in some of these communities is going to be the goal of the EO.

I'm going to let my colleague talk in specific about exactly what the White House Revitalization Council does, but the whole goal is, is to, one, leverage this private sector economic incentive through Opportunity Zones; and, two, create that public commitment from the federal government to ensure that that economic incentive helps all Americans, and we create a robust private-public partnership to help revitalize communities.

MS. WALTERS: For those of you who joined the call late, Ja'Ron

was on the record. His colleague will now be quoted as a senior White House official.

SENIOR ADMINISTRATION OFFICIAL: All right. Thank you so much, and thank you everybody for joining us today. So, yeah, to reiterate what Ja'Ron was saying, you know, this EO signifies the public sector commitment to Opportunity Zones because we understand, as an administration, it takes a holistic approach to create meaningful economic revitalization. And to do that, we need both private investment, which is what the legislation is incentivizing, and we need a public sector commitment towards these Opportunity Zones.

So, to that end, like Ja'Ron said today, President Trump is signing an executive order that will establish the White House Opportunity and Revitalization Council. And this council will be chaired by Secretary Ben Carson of the Department of Housing and Urban Development, and will be comprised of 13 federal agencies.

To go through them real quickly, of course we have HUD, the Treasury Department, Department of Justice, Department of Interior, Department of Agriculture, Department of Commerce, Department of Labor, Department of Health and Human Services, Department of Transportation, Department of Energy, Department of Education, Environmental Protection Agency, and the Small Business Administration.

So the purpose of this council and the mission of this council will be to engage with all levels of government on ways to better use taxpayer dollars to revitalize low-income communities, to improve the return on investment for many of these federal programs that these agencies oversee.

So the council will improve these revitalization efforts by streamlining, coordinating, and targeting existing federal programs towards the Opportunity Zones and these distressed

communities across the country.

So currently, the lack of coordination and targeting between all the different agencies for all of the different offerings that they offer our communities often leads to cumbersome applications, program waste, and ineffective benefits. So today's executive order will help direct all the Secretaries and agencies to target these resources in a (inaudible) way towards these zones.

And I'm already happy to say that the Secretaries have started thinking about this and we've already identified over 150 different actions that they're considering taking that will help this streamlining and targeting to improve our public sector delivery of these services.

In addition to this, the Council will also consider some legislative proposals and undertake regulatory reform to remove additional barriers through revitalization efforts.

We know, as a council, that this job doesn't end here, and this is the infrastructure for the administration and for our community leaders across the country and the states to be able to come together to discuss and to put forward what will be the possible next steps forward along this path through legislation or additional regulatory reform.

In addition, the Council will present to the President a number of reports that will identify and recommend ways to encourage investment in these economically distressed communities. So, again, it will be that infrastructure to really dig deep into this topic and this issue, and be a sounding board in the eventual report for what we can send to the President and what we can send to the American people of what we're doing and what we can continue to do to revitalize these communities.

And then, lastly, and I think very importantly, this Council will also be investigating and working towards to ensure that we have proper measurement so that we can measure the success and collect the data necessary to measure the success of this program and Opportunity Zones both in the executive order and in the legislation, because we want to be focused on evidence-based policy and ensure we are making a difference in moving (inaudible).

So that is a good overview of the whole program and the executive order. And we'll now take questions.

Q Hi, this is Michael Warren at the Weekly Standard. I'm just curious, gentlemen, could you explain how this new council will work with, will affect, will be affected by the Opportunity Funds provision of last year's tax bill, and whether not this will work in parallel or working in concert? I would just like to know a little more about how this works with the opportunity (inaudible) capital gains into Opportunity Zone investment.

SENIOR ADMINISTRATION OFFICIAL: So we look at this as working in concert with Opportunity Funds. This is really about local flexibility. There's a number of different resources that localities receive from the federal government. However, they're spread throughout the federal government. What we're trying to do is streamline those programs and to make end users on the local level be able to leverage some of our federal programs to better work in concert with their plans, with Opportunity Zones. There's a number of mayors, county commissioners, and state officials that we're going to, through our work, help encourage to also do the same so that we can create a better, robust public-private partnerships and better leverage to Opportunity Zones for success.

Q Hi. It's Robert Rampton from Reuters. My question is whether you can tell us how much private-sector investment

Opportunity Zones have attracted to date, and if you can point to some examples that are out there to sort of illustrate it.

SENIOR ADMINISTRATION OFFICIAL: We don't currently have that data. As you can imagine, Treasury is still finalizing the rules for Opportunity Funds. The next tranche of rules is scheduled to come out sometime soon. But once that's finalized, we'll be able to maybe accurately capture how much movement.

But I can tell you, after visiting some cities, there are a lot of cities already moving capital into some of these communities.

Q Good morning. My name is Toby Capion. I'm calling from EWTN. I guess my question is, won't this just add one more layer of government? Are there not existing offices within these agencies that handle this type of economic development?

SENIOR ADMINISTRATION OFFICIAL: That is actually part of the issue here, is every single agency has offices and they send their resources, be it loan programs, loan guarantees, grants, technical assistance, what have you, in a very diversified way to the priorities of each agency and what they're working on.

This is a coordinated effort so that we can start to overlay a lot of these efforts so that we can work together between some of the programs -- both at Housing and Urban Development, and Health and Human Services, for example -- to be able to overlay those programs and deliver them in a concentrated, targeted, and streamlined way.

To help out, some of our applicants would certainly be interested in both services that HUD and/or that Transportation offers. But this council will help streamline those applications so that the local communities can use both resources easier.

Q Hi, Stephanie Dhue with CNBC. Is this part of an effort to broaden the Opportunity Zones from just commercial real estate investments?

SENIOR ADMINISTRATION OFFICIAL: So the Opportunity Zone legislation and the rules that have come out of Treasury were never just real estate. We've always had an eye towards expanding them and making sure that the legislation and the rules would apply and work just as well for real estate as they would for any other businesses, such as small manufacturing or service businesses. So it's never been just real estate.

Q Hi, this is Bill Lucia with Atlantic Media's Route Fifty. Thanks for taking my question. I actually have two questions. One is, are there any discussions going on about extending the timeline of the program or adding additional zones? And the second question is, what is the process for this council to engage state and local government leaders?

SENIOR ADMINISTRATION OFFICIAL: To answer the first question, currently right now we're not having those conversations. We are laser-focused on completing the necessary rulemaking to launch these Opportunity Zones as they are. You know, conversations could happen down the line but not at this time.

SENIOR ADMINISTRATION OFFICIAL: Insofar as working with state and local stakeholders, that's part of this. That's the most important part of what the executive order is doing. It's showing federal leadership on how we plan to work with state and local leaders to ensure the success of Opportunity Zones, but is also encouraging those state and local leaders to also look at their resources and figure out how we can create a robust partnership.

There's language in the EO that stipulates us convening and

working with state and local leaders. And so that's a huge part of what we're doing through this executive order.

END

9:32 A.M.

EST

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Message

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**From:** White House Press Office [whitehouse-noreply@messages.whitehouse.gov]  
**Sent:** 9/18/2018 9:16:55 PM  
**To:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Subject:** Press Briefing by Senior Administration Officials on the National Biodefense Strategy

THE WHITE HOUSE  
Office of the Press Secretary

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For Immediate Release                      September 18, 2018

PRESS BRIEFING  
BY SENIOR ADMINISTRATION OFFICIALS  
ON THE NATIONAL BIODEFENSE STRATEGY

Via Telephone

12:32 P.M. EDT

SENIOR ADMINISTRATION OFFICIAL: Good afternoon. Thank you all for taking the time to join us. A short time ago, the President signed the National Biodefense Strategy and an associated national security presidential memorandum to create a new interagency process with respect to biodefense.

It's appropriate that the President did this today on the 17th anniversary of the anthrax attacks on Washington. Moreover, in this centenary year of the great influenza pandemic of 1918.

Originally, the administration was directed in the Fiscal Year 2017 National Defense Authorization Act to develop a biodefense strategy between the Department of Defense, the Department of Agriculture, the Department of Health and Human Services, and the Department of Homeland Security.

Upon undertaking the review consistent with the congressional requirement, the administration determined that we were actually looking at a far larger problem set. We determined 15 different departments and agencies, plus the intelligence community, were involved in the key efforts to look across all possible sources of a biological incident, whether natural, accidental, or deliberate.

The National Biodefense Strategy covers all geographic areas, and it covers all targets including humans, animals, plants, and the environment. And it looks across five goals and associated objectives.

It will assess biological risks, ensure capabilities to prevent biological incidents, prepare to reduce the impact of biological



incidents, respond rapidly to biological incidents, and recover after biological incidents.

What the strategy does, is it determines a new role for the Assistant to the President for National Security Affairs -- the National Security Advisor. Each year, the National Security Advisor will coordinate the development of a joint policy guidance on priority areas of biodefense, as informed by a U.S. government-wide biodefense assessment.

The strategy, for the first time, appoints a lead Cabinet-level official responsible for coordinating the implementation of biodefense across the interagency, and that will be the Secretary of Health and Human Services.

We will annually -- based on the guidance generated by the Department of Health and Human Services and the interagency, we will look at the priority areas for biodefense across departments and agencies, and include recommendations for the budget request to support the implementation of this strategy.

With that, I'd like to turn to [senior administration official], to provide any remarks he may choose to make.

SENIOR ADMINISTRATION OFFICIAL: Thank you very much. And it is a great day. And I just want to convey Secretary Azar's delight and excitement to be part of this signing ceremony with the President just within the last hour.

I think to just reiterate a couple points that my colleague has made in terms of the nature of this document, I'll just read from the first line, which -- it says, "It is a vital interest to the United States to manage the risk of biological incidents," which gives you a sense of the priority that the President and the administration has put on this topical area. And to my colleague's point, this covers the range of naturally accidental and deliberate threats that could result from a biological incident that could emanate from individuals, non-state actors, or states.

The role of Health and Human Services to implement this strategy is a significant one. And working with our partners at Defense, in the Department of Homeland Security, and the Department of Agriculture will lead an aggressive month-long -- pardon me, 12-month-long effort to basically implement the strategy and report back to the National Security Advisor on the area that my colleague identified: The five pillars, which are risk awareness, prevention, preparedness, response, and recovery.

The last thing I'll point out -- and this is an the area that is significant in this strategy -- is also the role of innovation as it relates to the opportunity for engaging the private sector and the state and local entities to seek for opportunities to basically leverage emerging biotechnology and biopharmaceutical innovations to basically

assist not only in defending our nation, but making our economy stronger and more capable.

With that, I'll stop and turn back to my colleague.

SENIOR ADMINISTRATION OFFICIAL: And [senior administration official], for any comments he may choose to make.

SENIOR ADMINISTRATION OFFICIAL: Good afternoon. And thank you. Again, biodefense is a broad and diverse set of responsibilities. And the strategy takes into account the holistic nature of how we deal with the biodefense threat.

The Department of Homeland Security is ready to support the implementation of the National Biodefense Strategy, and is excited to do so.

We take into account the threat landscape has changed over the decade-plus that the Department has been involved in biodefense, and the preparedness posture and doctrine needs to change and evolve in response to those changes.

This is a larger than a whole -- even a whole-of-government -- larger than 15 agencies, larger than the whole of federal government that involves the whole of society. And the strategy recognizes that, and takes it into account.

SENIOR ADMINISTRATION OFFICIAL: So, if I could recognize [senior administration official] from DOD.

SENIOR ADMINISTRATION OFFICIAL: Thank you. So, it may be obvious the Department of Defense has an interest in intentional attacks that might occur, that type of bio incident. But we also have a keen interest in making sure that any naturally occurring outbreak is dealt with, because that could affect our force readiness.

So again, as was noted, the 1918 flu epidemic -- a case in point of how that really affected force readiness at that time. So that's a good case study.

There's -- so there's many things in this that the Department of Defense is very much involved with. Obviously, working with HHS on the -- just looking at medical countermeasures, in particular.

Our mission is to make sure our forces can maintain their mission. So it's not just enough to survive, they need to accomplish their mission, and basically we say we need to prepare to fight.

That's very similar to what our first responders need to do, if you look at the DHS mission and many of the people that they support. So there's commonalities and places where this Venn diagram crosses in many places. So the good thing about this new strategy is it codifies what has

been, in many cases, ad hoc or a personality-led interaction. I think this will lead to more robust interactions and the coordination across all lines.

Lastly, I just want to say, I think it's particularly important right now: We talk about innovation and needing to foster innovation. There's also recognition that innovation can be used against us. So we're mindful of emerging threats that could be facilitated by innovation and, again, working together will be key to that, to success against that. Thank you.

SENIOR ADMINISTRATION OFFICIAL: And [senior administration official] from USDA.

SENIOR ADMINISTRATION OFFICIAL: Good afternoon. Just to echo the remarks of my colleagues, we all know the world today faces many new global health security risks due to the emergence/reemergence of (inaudible). And these include the (inaudible) which currently encompass 70 percent of all emerging diseases.

The health of our nation's people, animals, and plants are all interconnected, and a disease threat to one of these components can quickly affect another.

It is estimated that at least 75 percent of all infectious diseases that have a threat to our human health actually have an animal origin. And each of these threats are only increased by factors such as global trade and travel, the arise of drug resistance, or the potential for trans-boundaries threat.

As my colleagues all stated here today, preparing for these bio-threats is critical to our national security and requires such an effort as that -- an approach set forth by the National Biodefense Strategy that brings together a diverse spectrum of our stakeholders and partners, an expertise that focus on human health threats and animal health threats.

From an agricultural perspective, our food systems are just as vulnerable to disease and pests and poisonous agents that can naturally occur or be introduced in our food supply.

And according to 2016 data, ag and related industries contribute over \$1 trillion to our nation's gross domestic product, making it one of the largest sectors of the U.S. economy.

Given this overall importance of food safety and protecting our nation's food supply here at home and around the world, protecting agriculture is also important in a bio threat and important to national security.

The National Biodefense Strategy emphasizes USDA's important role in safeguarding our nation's farmers and the agriculture system, and also keeps our department focused on accomplishing our main mission, which is (inaudible) and feeding everyone.

USDA, in line with this new strategy, has and will continue to be on the frontline with our agency partners in protecting our nation, and look forward to this collaborative effort and call to action.

SENIOR ADMINISTRATION OFFICIAL: So, I think we're ready for Q&A.

Q Hi, my name is Jon Cohen. I'm with Science Magazine. Can you clarify what actually is changing? Who is the lead agency right now, operationally? And who is the lead agency policy right now? And I understand the change is going to HHS and NSC, but where is it right now?

SENIOR ADMINISTRATION OFFICIAL: So I'll -- this is [senior administration official]. So I think we -- you're recognizing that we have two previous strategies: We have a strategy from the Bush administration, and we have a strategy from the Obama administration.

I think the concern that was identified in the process of developing the National Biodefense Strategy was that there wasn't a clear accountability for who's in charge. We had, again, the congressional direction was to look across four departments and agencies. We actually identified 15 departments and agencies, plus the approximately 16 agencies of the intelligence community that all have a piece of biodefense.

And so, I think the President, consistent with his -- with his philosophy that you need to have clear lines of authority and accountability, felt like it was important to designate both a senior Cabinet-level official who would be responsible for coordinating the implementation of the strategy across the interagency, as well as providing accountability in the National Security Council for ensuring the prioritization of biodefense and to inform the annual budget commission process.

So, I'm not sure if that's as clear an answer as you're looking for. I think what's changed here is the clear lines of accountability and responsibility that President Trump felt was important when he signed the NSPM earlier today.

Q Hi. This is Patsy Widakuswara with Voice of America. There has been significant criticism of the Trump administration's handling of global health security with its proposals to scale back funding for programs designed to keep the world safe from infectious diseases threat.

My question is: How prepared is the U.S. in dealing with the next global pandemic, considering you are cutting back international funding to assist countries to face this threat -- and also considering that the strength of the global preparedness is only as strong as its weakest link?

SENIOR ADMINISTRATION OFFICIAL: So I'm going to disagree with your premise. We're not cutting funding to deal with the global health security agenda. What you're probably referencing is a supplemental that

was provided that covered the years FY15-19. We are just about to enter FY19 if the Congress provides the funding.

So the question will be, "What will be our posture in FY20?" And I'm not going to get ahead of the President in terms of -- as he writes the budget requests that he will submit to the Congress in February of next year, but it's incorrect to say we are cutting funding for global health security.

SENIOR ADMINISTRATION OFFICIAL: And I think, during the previous press conference that Ambassador Bolton and Secretary Azar participated in, they were very clear in their commitment to go forward in the future to support the global health security agenda. So I think it's -- as my colleague said -- that there is a -- yet to be seen what will be the budget for 2020. But there's -- there is a commitment to support this program.

Q Hi. Thank you for taking my question. My name is Ike Swetlitz, I'm a journalist with STAT. And both in this conference and also earlier this morning, you mentioned specific new biotechnological innovations that might be concerning. I was wondering if you could talk a little bit more specifically if there are particular scientific techniques you're worried about with (inaudible) -- things like that, and how you're planning on dealing with them.

SENIOR ADMINISTRATION OFFICIAL: All right, so if I was going to raise that issue. That's raised frequently by a number of people, asking if we're dealing with this. I think maybe the best thing is to reference -- the National Academy of Sciences did a study for us. It was published in June of 2018. It lists really what are the biodefense concerns in the age of synthetic biology. So I'd refer you back to that.

And there were a lot -- many departments participated and developing a framework for that study. And so, I can speak for the Department of Defense: That's going to be our guide as we move forward.

Q Hi, thanks for the doing the call. This is Tom Howell from the Washington Times. Can you just kind of talk about the process? You mentioned something about a 12-month process. What are you going to be looking for? What's kind of the chain of command of how you report your findings? And how are those incorporated going forward?

SENIOR ADMINISTRATION OFFICIAL: Sure. Certainly the role of the Department of Health and Human Services in all this is basically to convene with three other co-chairs: Department of Defense, Department of Homeland Security, and the Department of Agriculture. But all the other agencies that have represented biodefense-related capabilities, notably EPA -- you can go down the list of the other federal agencies that do, and basically walk through the strategy and evaluate what is the ongoing level of effort in programmatic that are being committed to those different parts of the strategy with the intent that, after the period of time, is to provide a comprehensive evaluation of what is being done by whom, with

the level of effort that will be reported back to the national security advisor, and then will be part a formal policy process that my colleague can probably elaborate on.

SENIOR ADMINISTRATION OFFICIAL: So, each year has HHS leading the coordination of the implementation of the process together with USDA and DHS and DOD. We will -- the (inaudible) will take that government-wide biodefense assessment and develop an interagency joint policy guidance on the priority areas in biodefense that will be used by departments and agencies in the annual budget request process.

So again, you've not had before this level of attention at the level of the National Security Advisor, at the level of the Secretary of HHS, on behalf of the President, on biodefense. I think it's something that we feel very strongly -- I mean, given, again, the centenary of the great influenza pandemic, given the 17-year anniversary of the anthrax attack.

We have an Ebola outbreak in the DRC as we speak, and we had an outbreak earlier this year. We have been informed by all of this, in getting to the place here -- where earlier today the President signed both a strategy and the National Security Presidential Memorandum.

Q Hi, this is Laurie Mylroie from Kurdistan 24. Isn't the problem regarding biological terrorism that there's really no good defense against it, and that you need to understand who the terrorists are -- have a very clear understanding of who is attacking you? Isn't the problem attribution? Is my question clear?

SENIOR ADMINISTRATION OFFICIAL: So, I'll ask some of my colleagues to join in to answer you, but I don't think I would agree with the premise that there's no good defense. I think the best defense is -- so early attribution is important to know what exactly is happening, but we -- I mean, it's a biodefense strategy. We have any number of capabilities. We have vaccinations, in fact, for Ebola. Today, we are in a different place than we were because we have vaccinations in place. We have screening procedures. I think Secretary Azar, earlier today, with Ambassador Bolton referenced that we are screening roughly 100,000 people per day in the DRC as part of containing Ebola.

So I think I would disagree with the premise that there is no defense, but I certainly would agree that attribution is important -- which is, again, is why I think the President decided to take the strategy he did, where we bring in the capabilities and the competencies of 15 different federal departments and agencies, as well as the intelligence community, to help us be better postured for attribution.

But my colleagues from DOD and DHS -- actually one of my colleagues from DHS is eager to answer your question.

SENIOR ADMINISTRATION OFFICIAL: Certainly. Attribution is extremely important in the case of a terrorist criminal act. But what we've seen with this strategy is we've taken -- opened the aperture much more

broadly, that biodefense is not strictly limited to adversaries attempting to use bioweapons against us or anyone else; that this strategy encompasses both domestic and international. It takes into account intentional as well as naturally occurring biological events, as -- in a cohesive strategy moving from one to the other without silos. And that's part of the great strength of the strategy, I believe.

Q Thank you. This is Donna Young from S&P Global News. I had a question. They have reiterated over and over in this call, as well as the earlier call, that this was a priority. This was something that was passed under a mandate in December 2016, so why did it take this long -- like more than a year and a half -- to actually implement if this was something that was such a priority?

And then also, on the innovation side: How is this going to actually do something more for, like, the small biotechs that are actually the ones who are developing the countermeasures? Thank you.

SENIOR ADMINISTRATION OFFICIAL: So, let me take the first part. And then maybe my colleague will take the second part.

I think you're exactly right: The requirement for a National Biodefense Strategy was quoted as part of the Fiscal Year of 2017 NDAA. All I can tell you is that, in trying to answer the mail, so to speak, looking at what Congress asked us to look at, we came to the conclusion that we actually wanted to go broader and bigger than the Congress had included.

The Congress asked to provide a strategy from four named departments: the DOD, AG, HHS, and DHS. And the administration came to the conclusion that biodefense is important enough, it's a high enough priority that we want a whole of government strategy, including 15 departments and agencies and the constituent elements of the intelligence community.

So that was -- part one was the actual strategy, but then we went a step further and the President issued a Nation Security Presidential Memorandum, which provides direction for the executive branch, for the interagency, for how the President wants biodefense run.

So I think both in terms of the fact that we went bigger than Congress contemplated and the President personally directed a reorganization of our efforts in a permanent process for an enduring level of attention on biodefense -- yeah, we might have missed the timeline that Congress articulated, but I think we actually did a deeper dive and set up an enduring process beyond what the Congress contemplated.

So a little bit late, but I think the product is vastly improved. And so my colleague is best person to talk to about the innovation question.

SENIOR ADMINISTRATION OFFICIAL: Thank you. And thank you for the question about innovation. I think one of the things to realize, as you

read this strategy, you'll find that it makes reference to the National Security Strategy for one pillar, which is devoted to the protection of the American people and our way of life. And the second pillar is actually promoting American prosperity.

And so it is not limited to HHS. The role of innovation, as it relates to the life sciences is -- you'll find out that there are different departments and agencies that have BARDA-like activities besides Defense. HHS is one of them. And within the 21st Century Cures Act that was passed by Congress last year, there is a provision for Medical Countermeasure Innovation Partnerships, which is part of our BARDA DRIVE program -- the directorate for research, innovation, and ventures -- which is actually setting up accelerators regionally around the country to work with small biotechnology companies, as well as academic institutions, and, quite frankly, individuals -- because the democratization of the life sciences is actually allowing people to do do-it-yourself kind of biology.

And so, there's tremendous opportunities to find not only new cures for diseases, but potentially new ways to address some of the challenges around healthcare. And with that, innovation is a real opportunity to do that.

And so that's what kind of a unique part of this strategy. It looks comprehensively really against not only the challenges, but the opportunities that are afforded by the advances in biotechnology and the life sciences.

Q Hi. This is Donna again, from S&P. So, in that last response from your colleague, I didn't actually hear, like, substantially, what are you going to do for the small biotechs? Is there going to be a broader commitment there to actually buy their products? What are you actually going to be doing on that end? Because I heard a lot of words, but I didn't hear a lot of, like, substance, as far as --

SENIOR ADMINISTRATION OFFICIAL: Oh, sure. Let me get granular with you. I can do that, so hang on. So specifically, it would be working to invest in biotech companies like venture capital companies would do. Number one -- and we've identified a number of particular areas where we think there's great opportunity to really change the status of healthcare, as well as improve biodefense.

One of the areas is around sepsis, which basically kills, oh, approximately 125,000 Americans a year, afflicts about 1.2 million people, and costs about \$24 billion in healthcare costs a year. There's not a very good way to early diagnose it or to necessarily mitigate or treat its effects once it starts. And it is a complex of syndromes as it relates to both infectious diseases, radiation exposure, as well as chemical exposures. So it is, as we (inaudible) to death for many folks. And (inaudible) find some better treatments, we think we can actually make an improvement for all Americans in that vein.



So, for example, if we can find a way to mitigate not only the loss of life, but the cost, we believe we can save the U.S. government about \$16 billion a year in Medicare or Medicaid costs that are associated with sepsis alone.

Another area that's a focal area is early diagnosis of people who may not yet show symptoms of a disease, but may be infected and are incubating that disease, or the opportunity to intervene and potentially provide lifesaving or mitigating the morbidity (inaudible) can be done.

So those just are a couple examples. There are a lot more, but it's really working with different states and different institutions around the country. I know that in Washington state, we're working with the Life Science Institute. We're working around the country trying to basically break down the walls and barriers to work with small companies and individuals who are working in the life science biotech area.

SENIOR ADMINISTRATION OFFICIAL: And if I could add to that -- so one of the barriers for people, especially the smaller companies, to work with the government -- and I can speak specifically for the Department of Defense -- it's very difficult. Our process is the government -- you know, Federal Acquisition Regulations -- don't make it easy. And so we've gone out and talked to some of these small companies that we rely on, and that's some of their biggest concerns they have.

So in addition to facilitating different funding mechanisms and technology (inaudible), we're also looking at our business processes to make sure we can still have the correct level of oversight that the public asked of us -- but at the same time, trying to be innovative in an expedient way so that the innovations are actually timely.

Q Hi, this is Sarah (Inaudible) from Politico. In the earlier press conference, Secretary Bolton had said that the memorandum today repealed prior authorities. What exactly was he referring to there?

SENIOR ADMINISTRATION OFFICIAL: So, Ambassador Bolton was referring to a Bush administration presidential policy document, and an Obama administration presidential policy document. So those are replaced in the as-yet-unnumbered National Security Presidential Memorandum that the President signed a short time ago.

Q Hi, this is Heather (inaudible) from the Frederick News Post. I was just wondering how this plan is going to affect the labs at Fort Detrick, whether that's going to affect the National Biodefense Analysis and Countermeasures Center that was almost shut down in 2017 as well.

SENIOR ADMINISTRATION OFFICIAL: So I'm sorry, could you repeat your question? We're going to turn up the volume a little bit, but we want to make sure we got it exactly right.

Q Did you hear that?

SENIOR ADMINISTRATION OFFICIAL: No. Can you please repeat your question?

Q Sure. I was just wondering how the labs at Fort Detrick are going to be affected by the new strategy.

SENIOR ADMINISTRATION OFFICIAL: The new strategy does not directly discuss any particular asset of any one agency or department. But I think it reflects -- what we've been talking about along is that those assets that you referred to are national assets, and that they need to be made available and useful across the whole of government for the purposes of biodefense activity.

Q Hi, it's Ike Swetlitz again from STAT. I was just hoping you could elaborate a little bit more on some of the changes that you're going to be making to the business processes for working with biotech companies that you mentioned.

SENIOR ADMINISTRATION OFFICIAL: There's some specifics of -- you know, the Federal Acquisition Rules -- and especially for Department of Defense, the process is very onerous. Everything is treated like a huge defense system.

Under Secretary Lord, who was in charge of acquisition and sustainment -- you know, she's making a real push right now to make sure we can use some other novel contracting mechanisms. There's something called "other transaction authorities." You could google that and learn more about that, what it specifically means.

And basically what it comes down to is not treating everything the Department of Defense does like an aircraft carrier. And that's according to her -- that phrase. But it's just trying to be more nimble and responsive.

We -- again, we've talked to a lot of small innovators, you know, biopharma across the board. And just the accounting requirements that the government puts on small businesses is too onerous, certainly, to incentivize them to work with us.

We sponsored consortia -- various consortia to try to get at this. I was at a meeting last week of an engineering biology research consortium, for example. And there we were engaged with academics, small companies -- and a lot of these are spin-offs from academia -- trying to ascertain what could really meet their needs so they could in turn work with us. So there's a lot of different facets to this. But a lot of this is involving community engagement.

If I can also refer back to the question about why this took so long: This was a whole of government effort, but it was actually a whole of society effort. As this was being developed, there was some town hall meetings that brought in people from the private sector to give their views. It was a panel discussion, a lot of dialogue back and forth where

concerns were aired along these lines. And those discussions led to some of the input into the strategy itself.

Again, that goes towards engaging with that private sector to make sure we're listening to them and then trying to be as responsive as possible.

Q Hi, this is Jon Cohen again with Science. Does this downgrade Homeland Security's role in coordinating from the Security Act of 2002, where Homeland Security had specific priorities that you seem to be transferring now to HHS and NSC?

SENIOR ADMINISTRATION OFFICIAL: So I'm going to defer to DHS to let them tell you whether or not they think their role has been downgraded.

SENIOR ADMINISTRATION OFFICIAL: So the simple answer is no. I think that the language that is articulated in HHS as the lead for the implementation of this strategy is quite accurate. However, it doesn't say that, during a particular incident, the Department of Homeland Security would be abdicating its coordination role that it has consistent with articulated policy doctrine.

SENIOR ADMINISTRATION OFFICIAL: And I would just jump in on that and just say, we're talking about elevating the level of prioritization for biodefense and recognizing the threat posed by bio threats across the board, day to day.

There will of course be, you know, individual occurrences. I mentioned a couple times we have an Ebola situation today. A week and a half ago, we all were glued to the news -- or at least I was -- because an airplane, an Airbus 380 with about 500 people, landed at JFK. There are lead agencies for scenarios like that, just as there are lead agencies for scenarios like the Ebola situation in the DRC today.

What we are talking about with the President's National Security Presidential Memorandum is how we ensure that biodefense and the different approaches by 15 departments and agencies and the IC are unified, and the priority of the President attaches to biodefense is enduring.

Q Thanks for doing this. I just have one question about the Cuban missile attacks. How does this -- does this have any impact in that, or preventing similar type of scenarios from happening or combat them?

SENIOR ADMINISTRATION OFFICIAL: So, if I may, we're here to take about the biodefense strategy. We can -- you can reach out to our respective press operations. We can talk to you about other matters related to, for example, the health incidents you referenced. I would note there is ongoing investigations underway. And I'll just leave it at that for right now.

END

1:08 P.M. EDT

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## Appointment

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**From:** Subramanian, Hema [Subramanian.Hema@epa.gov]  
**Sent:** 6/25/2019 3:04:58 PM  
**To:** Subramanian, Hema [Subramanian.Hema@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Bennett, Tate [bennett.tate@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Kramer, Jessica L. [kramer.jessical@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Dunton, Cheryl [Dunton.Cheryl@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Han, Kaythi [Han.Kaythi@epa.gov]; WJC North 1433 [WJC\_North\_1433@epa.gov]; Konkus, John [konkus.john@epa.gov]  
**CC:** Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Sisco, Debby [Sisco.Debby@epa.gov]; Siedschlag, Gregory [Siedschlag.Gregory@epa.gov]; Chiu, Enid [Chiu.Enid@epa.gov]; Risley, David [Risley.David@epa.gov]; Daguiard, Robert [Daguiard.Robert@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Mills, William T. [mills.williamt@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]  
**Subject:** Sulfoxaflo rollout  
**Attachments:** RMD\_0702\_Comms Roll-out Strategy - Sulfoxaflo 2019.docx  
**Location:** WJC-N 1433 / **Ex. 6 Personal Privacy (PP)**  
**Start:** 7/2/2019 3:30:00 PM  
**End:** 7/2/2019 4:00:00 PM  
**Show Time As:** Busy

**Ex. 6 Personal Privacy (PP)**

## Appointment

---

**From:** Schwab, Justin [Schwab.Justin@epa.gov]  
**Sent:** 4/25/2019 2:57:12 PM  
**To:** Schwab, Justin [schwab.justin@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Orlin, David [Orlin.David@epa.gov]  
**CC:** Bunker, Byron [bunker.byron@epa.gov]; Cohen, Janet [cohen.janet@epa.gov]; Millett, John [Millett.John@epa.gov]; Birgfeld, Erin [Birgfeld.Erin@epa.gov]; Dominguez, Alexander [dominguez.alexander@epa.gov]  
**Subject:** Press Strategy - Call-in #: **Ex. 6 Personal Privacy (PP)**  
**Location:** DCRoomARN4304/DC-Ariel-Rios-OGC  
**Start:** 4/26/2019 6:30:00 PM  
**End:** 4/26/2019 7:00:00 PM  
**Show Time As:** Busy

Call-in #: **Ex. 6 Personal Privacy (PP)**

## Appointment

---

**From:** Shaffer, Patricia [Shaffer.Patricia@epa.gov]  
**Sent:** 4/26/2019 6:10:03 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Orlin, David [Orlin.David@epa.gov]  
**CC:** Bunker, Byron [bunker.byron@epa.gov]; Cohen, Janet [cohen.janet@epa.gov]; Millett, John [Millett.John@epa.gov]; Birgfeld, Erin [Birgfeld.Erin@epa.gov]  
**Subject:** Press Strategy - Call-in #: Ex. 6 Personal Privacy (PP)  
**Location:** DCRoomARN4304/DC-Ariel-Rios-OGC  
**Start:** 4/26/2019 6:30:00 PM  
**End:** 4/26/2019 7:00:00 PM  
**Show Time As:** Tentative

Call-in #: Ex. 6 Personal Privacy (PP)

Message

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**From:** Orlin, David [Orlin.David@epa.gov]  
**Sent:** 5/1/2019 9:05:05 PM  
**To:** Schwab, Justin [Schwab.Justin@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]  
**CC:** Bunker, Byron [bunker.byron@epa.gov]; Cohen, Janet [cohen.janet@epa.gov]; Millett, John [Millett.John@epa.gov]; Birgfeld, Erin [Birgfeld.Erin@epa.gov]; Dominguez, Alexander [dominguez.alexander@epa.gov]  
**Subject:** RE: Press Strategy - Call-in #: **Ex. 6 Personal Privacy (PP)**  
**Attachments:** ENV\_DEFENSE-#867460-v3-advanced\_biofuels\_draft\_final\_brief\_for\_filing.docx

FYI, attached is the near-final version of the brief DOJ will be filing tonight on behalf of EPA in the ABFA small refinery hardship petition litigation (subject to final typo corrections).

Please let know if I can be of further assistance,

David Orlin  
U.S. EPA, Office of General Counsel  
(202) 564-1222

-----Original Appointment-----

**From:** Schwab, Justin  
**Sent:** Thursday, April 25, 2019 10:57 AM  
**To:** Schwab, Justin; Schiermeyer, Corry; Abboud, Michael; Woods, Clint; Stahle, Susan; Orlin, David  
**Cc:** Bunker, Byron; Cohen, Janet; Millett, John; Birgfeld, Erin; Dominguez, Alexander  
**Subject:** Press Strategy - Call-in #: **Ex. 6 Personal Privacy (PP)**  
**When:** Friday, April 26, 2019 2:30 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomARN4304/DC-Ariel-Rios-OGC

Call-in #: **Ex. 6 Personal Privacy (PP)**



Message

---

**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 8/6/2019 4:24:36 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Woods, Andrea [Woods.Andrea@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Subject:** RE: For Review: Talking points for PBS FRONTLINE background

Should add that these have been reviewed by Steven and Barry since Peter is out of town. He's received them as well but hasn't provided input.

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

---

**From:** Sauerhage, Maggie  
**Sent:** Tuesday, August 06, 2019 12:16 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>  
**Cc:** Woods, Andrea <Woods.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** For Review: Talking points for PBS FRONTLINE background  
**Importance:** High

See attached talking points for this Thursday's 11am backgrounder (not for attribution) with PBS Frontline. OITA will be joining Cheryl Coleman of OLEM for the backgrounder (Peter Wright approved). OW/OITA are currently reviewing these to help fill out the marine debris section. Let me know if you have any feedback.

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

Message

---

**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 8/6/2019 4:16:20 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Woods, Andrea [Woods.Andrea@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Subject:** For Review: Talking points for PBS FRONTLINE background  
**Attachments:** Talking Points\_PBS FRONTLINE\_Background Interview (1).docx

**Importance:** High

See attached talking points for this Thursday's 11am backgrounder (not for attribution) with PBS Frontline. OITA will be joining Cheryl Coleman of OLEM for the backgrounder (Peter Wright approved). OW/OITA are currently reviewing these to help fill out the marine debris section. Let me know if you have any feedback.

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

**To:** Abboud, Michael[abboud.michael@epa.gov]; Leopold, Matt (OGC)[Leopold.Matt@epa.gov]; Willey, Katharine[willey.katharine@epa.gov]  
**Cc:** Beach, Christopher[beach.christopher@epa.gov]; McFaul, Jessica[mcfaul.jessica@epa.gov]; Schiermeyer, Corry[schiermeyer.corry@epa.gov]  
**From:** Fotouhi, David[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FEBAF0D56AAB43F8A9174B18218C1182-FOTOUHI, DA]  
**Sent:** Mon 7/29/2019 5:13:14 PM (UTC)  
**Subject:** RE: Pebble Mine story--E&E News

Looks like the story is live already <https://www.eenews.net/greenwire/2019/07/29/stories/1060806401>

**David Fotouhi**

Principal Deputy General Counsel  
Office of General Counsel  
U.S. Environmental Protection Agency  
Tel: +1 202.564.1976  
[fotouhi.david@epa.gov](mailto:fotouhi.david@epa.gov)

**From:** Fotouhi, David  
**Sent:** Monday, July 29, 2019 1:08 PM  
**To:** Abboud, Michael <abboud.michael@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Willey, Katharine <willey.katharine@epa.gov>  
**Cc:** Beach, Christopher <beach.christopher@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** RE: Pebble Mine story--E&E News

DELIBERATIVE

Thanks. We should Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

**David Fotouhi**

Principal Deputy General Counsel  
Office of General Counsel  
U.S. Environmental Protection Agency  
Tel: +1 202.564.1976  
[fotouhi.david@epa.gov](mailto:fotouhi.david@epa.gov)

**From:** Abboud, Michael <abboud.michael@epa.gov>  
**Sent:** Monday, July 29, 2019 12:58 PM  
**To:** Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Willey, Katharine <willey.katharine@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>  
**Cc:** Beach, Christopher <beach.christopher@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** FW: Pebble Mine story--E&E News

Is this accurate? Ex. 5 Deliberative Process (DP)

**From:** [awittenberg@eenews.net](mailto:awittenberg@eenews.net) <[awittenberg@eenews.net](mailto:awittenberg@eenews.net)>  
**Sent:** Monday, July 29, 2019 12:45 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Pebble Mine story--E&E News

Hi Everyone,

Hope you all had good weekends. I have a story coming out in Greenwire today on sources saying EPA did not send the 3(b) letter to the Army Corps regarding Pebble Mine, as it would have to under the 1992 MOU for the Clean Water Act 404(q) process. The story will say that Matt Leopold did not want to send the “will affect” language, and instead asked the Army Corps of Engineers for more time to come to a decision on that language, asking to wait until the corps has decided it will issue a permit or a ROD for the mine.

Do you have any comment? I apologize for the late notice on this, but I just got everything firmed up. I will be able to add a statement from EPA until roughly 1:30.

Ariel

Ariel Wittenberg  
E&E News reporter  
[awittenberg@eenews.net](mailto:awittenberg@eenews.net)  
202-737-4557  
[@arielwittenberg](https://www.instagram.com/arielwittenberg)

## **E&E NEWS**

122 C Street NW 7th Floor Washington, DC 20001  
[www.eenews.net](http://www.eenews.net) | [@EENewsUpdates](https://www.instagram.com/EENewsUpdates)  
Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM, E&ETV

Message

---

**From:** Jagla, Magdalena (Toomey) [Magdalena\_Jagla@toomey.senate.gov]  
**Sent:** 7/26/2019 9:03:04 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** RE: Morrow Energy press avail  
**Attachments:** ATT00001.txt

Hi Corry,

Below is the list we have compiled today. I will update you as more come in. Have a great weekend!

**Media RSVPs:**

NBC10: Lauren Mayk and Photographer  
Reuters: Laila Kearney  
E&E: Corbin Hiar  
Delco Times: Kevin Tustin  
AP: Matt Rourke  
Bloomberg: Stephen Cunningham  
Neighborhood Leader: Heshimu Jaramogi  
KYW: Kim Glovas

Magdalena Jagla | Deputy Press Secretary  
Office of U.S. Senator Pat Toomey  
215-241-1090 | [toomey.senate.gov](mailto:toomey.senate.gov)



---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Friday, July 26, 2019 2:58 PM  
**To:** Jagla, Magdalena (Toomey) <Magdalena\_Jagla@toomey.senate.gov>  
**Subject:** FW: Morrow Energy press avail

**Here is another RSVP for Monday.**

**Resent-From:** <Press@epa.gov>  
**From:** Heshimu Jaramogi <[Ex. 6 Personal Privacy \(PP\)](#)>  
**Date:** July 26, 2019 at 1:57:18 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** Morrow Energy press avail

Hi,

I plan to attend the Monroe Energy media event on Monday.

Thanks,

Heshimu Jaramogi  
Editor The Neighborhood Leader

Message

---

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 7/26/2019 6:46:44 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** Fwd: Morrow Energy press avail

Sent from my iPhone

Begin forwarded message:

**Resent-From:** <Press@epa.gov>  
**From:** Heshimu Jaramogi Ex. 6 Personal Privacy (PP)  
**Date:** July 26, 2019 at 1:57:18 PM EDT  
**To:** Press <Press@epa.gov>  
**Subject:** **Morrow Energy press avail**

Hi,

I plan to attend the Monroe Energy media event on Monday.

Thanks,

Heshimu Jaramogi  
Editor The Neighborhood Leader

Message

---

**From:** Eilperin, Juliet [Juliet.Eilperin@washpost.com]  
**Sent:** 9/25/2019 10:16:15 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**CC:** Dennis, Brady [Brady.Dennis@washpost.com]  
**Subject:** Re: call today at 1:30pm

Thanks!

On Sep 25, 2019, at 6:14 PM, Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

Here is the Wisconsin letter. Apparently it was made public.  
There was also a news story I found online about it:  
<http://archive.jsonline.com/news/wisconsin/126641438.html> [archive.jsonline.com]

---

**From:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Sent:** Wednesday, September 25, 2019 6:01 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** Re: call today at 1:30pm

Ok, I didn't see EPA listed in the trip, it named several other agencies. I can get the date from the reporter who covered it, I just wasn't sure it was the same trip.

On Sep 25, 2019, at 5:56 PM, Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

Working on the letter.

The WP already reported that a group from the Administration, including EPA staff was on the trip. Article also referenced dates/timing. It was not an EPA trip, I don't have the details, but it is accurate to report EPA had staff on the trip.

Sent from my iPhone

On Sep 25, 2019, at 5:40 PM, Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)> wrote:

Hey Corry, just a couple of last things. Did you find out if EPA staff went on the trip Susan mentioned and if so, when was it?

And you are still looking for the Wisconsin letter, we haven't gotten that already, right?  
Thanks, Juliet

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, September 25, 2019 3:59 PM  
**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Hello Juliet and Brady,

Please see attached final letter to Governor Newsom. Embargoed until 8amET tomorrow.

Thank you!!!

---

**From:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Sent:** Wednesday, September 25, 2019 2:44 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Dear All,

Thanks for the call. We just wanted to follow up on a few fronts.

1. In terms of the reason for the senior official's anonymity, just provide a relatively pithy one and we will be set on that front.
2. We see the link to the TMDL Susan referenced as a footnote in the letter, so that probably covers it. If there are specific homeless studies you would like to provide, feel free.
3. Also, in terms of the back and forth on the West Side permit, is there an easy way to summarize the dispute b/w EPA and the city? What exactly are the permit standards that the city is saying it doesn't need to meet?
4. In terms of the LA visit that came out, I think it was referenced in this story, for example:  
<https://www.washingtonpost.com/business/2019/09/12/trump-officials-tour-unused-faa-facility-california-search-place-relocate-homeless-people/> Were any EPA officials on that trip? And when exactly did it take place?
5. Is it possible to get the letter to Wisconsin that went out under the last administration, for context?
6. Susan referenced a strategy document that detailed the extent to which federal water standards are being exceeded, and future goals. So it would be helpful to get those specific numbers, especially where the exceedances stand now.
7. In terms of the timing for tomorrow, Corry, if you could give me a call, I wanted to check in with you on that, as well as one other point.

Best,  
Juliet

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, September 25, 2019 1:10 PM  
**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady



<Brady.Dennis@washpost.com>; McFaul, Jessica

<mcfaul.jessica@epa.gov>

**Subject:** RE: call today at 1:30pm

Yep...that is our plan. Thank you.

---

**From:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>

**Sent:** Wednesday, September 25, 2019 1:09 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly  
<block.molly@epa.gov>; Dennis, Brady

<Brady.Dennis@washpost.com>; McFaul, Jessica

<mcfaul.jessica@epa.gov>

**Subject:** RE: call today at 1:30pm

Thanks so much, we will read it now. And yes, it would be great to get a formatted letter that we can turn into a link, though we wouldn't do that until late today in any event.

Best,

Juliet

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Sent:** Wednesday, September 25, 2019 1:05 PM

**To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly  
<block.molly@epa.gov>; Dennis, Brady

<Brady.Dennis@washpost.com>; McFaul, Jessica

<mcfaul.jessica@epa.gov>

**Subject:** RE: call today at 1:30pm

Here is an embargoed (until 6amET tomorrow) copy of the text of the letter. The team is still formatting. Once I have the final, I will send it to you, but wanted you to have this info before the call.

This will be addressed to CA Governor Newsom.

Thank you!

---

**From:** Schiermeyer, Corry

**Sent:** Wednesday, September 25, 2019 11:48 AM

**To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly  
<block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>

**Subject:** RE: call today at 1:30pm

Thank you! trying to do too many things at once...sorry Brady!!!

---

**From:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>

**Sent:** Wednesday, September 25, 2019 11:43 AM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly  
<block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>

**Subject:** RE: call today at 1:30pm

Sounds good, and I am just looping in Brady.  
Best,  
Juliet

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, September 25, 2019 11:26 AM  
**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** call today at 1:30pm

**CAUTION: EXTERNAL SENDER**

Hello Juliet,

Here is the call in info for the call today. I am still working on getting you the final letter, under the embargo until 6am tomorrow. Please let me know if you have any questions!

Ex. 6 Personal Privacy (PP)

Extension: Ex. 6 Personal Privacy (PP)

Participant Code: Ex. 6 Personal Privacy (PP)

Corry Schiermeyer  
Associate Administrator  
Office of Public Affairs  
Environmental Protection Agency  
[Schiermeyer.corry@epa.gov](mailto:Schiermeyer.corry@epa.gov)  
202-564-6782

<75 Issues.pdf>

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 8/27/2019 3:46:26 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** FW: Ruth Etzel  
**Attachments:** Page 2 R Etzel complete eOPF\_Redacted.pdf; Page 5 R Etzel complete eOPF\_Redacted.pdf; 834-835 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 840 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 702 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 616 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 3 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 555 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 556 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 594-598 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 334-335 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 565 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; Page 4 R Etzel complete eOPF\_Redacted.pdf

How about this?

**DRAFT:** **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

**From:** Kevin Bogardus <kbogardus@eenews.net>  
**Sent:** Monday, August 26, 2019 4:13 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>; Press <Press@epa.gov>  
**Cc:** awittenberg@eenews.net  
**Subject:** Ruth Etzel

Hey everyone,

It's Kevin Bogardus with E&E News.

Myself and my colleague Ariel Wittenberg (who is CCed on this email) are working on a story about Ruth Etzel, the former director of EPA's Office of Children's Health Protection. In our story, we are linking to and quoting from EPA emails and personnel records that I obtained under the Freedom of Information Act (please see attached). I had a few questions about this, which are:

- Etzel was given a pay raise in January 2018 (please see Page 5 R Etzel complete eOPF\_Redacted) and a cash award in August 2018 (please see Page 2 R Etzel complete eOPF\_Redacted), about a month before she was put on leave. Why did Etzel get a pay raise and a cash award when there were allegations about her leadership of OCHP?
- We will say that Etzel was told she was not ready to brief EPA leadership on the federal lead strategy about three weeks before she was put on leave (please see 834-835 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Etzel said she was going to finish the federal lead strategy in June 2018 (please see 840 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why was it delayed?
- We will say that OCHP had a 360 leadership assessment that raised "several concerns" (please see 702 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). What were those concerns?

- We will say that EPA Chief of Staff Ryan Jackson questioned why the American Academy of Pediatrics wasn't familiar with OCHP (please see 616 Records Responsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will quote emails from John Konkus and Jackson discussing press strategy in response to Etzel being put on leave, such as "opportunity to strike" and "press pushing back on her" (please see 3 Records Responsive\_OCHP FOIAs\_7.19.2019\_, 555 Records Responsive\_OCHP FOIAs\_7.19.2019\_ and 556 Records Responsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Konkus received a list of EPA children's health-related grants (please see 594-598 Records Responsive\_OCHP FOIAs\_7.19.2019\_). Why was Konkus reviewing such grants? I ask because his grants review was rescinded in May 2018, according to this email ([https://www.eenews.net/assets/2018/06/18/document\\_gw\\_19.pdf](https://www.eenews.net/assets/2018/06/18/document_gw_19.pdf)).
- We will quote emails from OCHP officials saying they were not consulted on the children's health booklet (please see 334-335 Records Responsive\_OCHP FOIAs\_7.19.2019\_). Why weren't OCHP officials consulted on this booklet?
- We will say Veronica Darwin gathered materials on children's health for the booklet (please see 565 Records Responsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Etzel returned to EPA in March 2019 and was reassigned to "unclassified duties" in the Office of Water's Office of Science and Technology (please see Page 4 R Etzel complete eOPF\_Redacted). Do you have any additional comment?

Please get back to me as soon as possible. My deadline is close of business Wednesday, Aug. 28, but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

**Kevin Bogardus**

E&E News Reporter

[kbogardus@eenews.net](mailto:kbogardus@eenews.net)

202-446-0401 (p)

Ex. 6 Personal Privacy (PP) (C)

202-737-5299 (f)

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM, E&ETV

Message

---

**From:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Sent:** 8/26/2019 10:47:18 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]  
**Subject:** Fwd: Ruth Etzel

Sent from my iPad

Begin forwarded message:

**From:** "Jackson, Ryan" <jackson.ryan@epa.gov>  
**Date:** August 26, 2019 at 6:46:49 PM EDT  
**To:** Kevin Bogardus <kbogardus@eenews.net>  
**Subject:** Re: Ruth Etzel

We'll get back with you tomorrow.

I looked through a few of the attachments. Is press strategy me saying something is fine and to go with it? Doesn't seem like much strategy with that. Are you going to reference that John's email on striking was in reference to an email he received from you? I wasn't on that email trail, but were you going to help John with a story? I kind of read it that way.

Sent from my iPad

On Aug 26, 2019, at 4:19 PM, Kevin Bogardus <kbogardus@eenews.net> wrote:

Ryan,

Hi, it's Kevin Bogardus with E&E News.

Myself and my colleague Ariel Wittenberg are working on a story about Ruth Etzel, the former director of EPA's Office of Children's Health Protection. Below is our official query to EPA's press office. That said, since we quote you from some of the emails I obtained under the Freedom of Information Act, I wanted to give you a heads up about the story and see if you wanted to add any comment in response to our questions.

If you do wish to comment, please let me know. My deadline is close of business Wednesday, Aug. 28, so please get back to me before then. Thank you for your help.

**Kevin Bogardus**  
E&E News Reporter  
[kbogardus@eenews.net](mailto:kbogardus@eenews.net)  
202-446-0401 (p)  

Ex. 6 Personal Privacy (PP) (C)

  
202-737-5299 (f)

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM, E&ETV

---

**From:** Kevin Bogardus

**Sent:** Monday, August 26, 2019 4:13 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>; 'Abboud, Michael' <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>; Beach, Christopher <[beach.christopher@epa.gov](mailto:beach.christopher@epa.gov)>; Woods, Andrea <[Woods.Andrea@epa.gov](mailto:Woods.Andrea@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Cc:** Ariel Wittenberg <[awittenberg@eenews.net](mailto:awittenberg@eenews.net)>

**Subject:** Ruth Etzel

Hey everyone,

It's Kevin Bogardus with E&E News.

Myself and my colleague Ariel Wittenberg (who is CCed on this email) are working on a story about Ruth Etzel, the former director of EPA's Office of Children's Health Protection. In our story, we are linking to and quoting from EPA emails and personnel records that I obtained under the Freedom of Information Act (please see attached). I had a few questions about this, which are:

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- We will say that Etzel was told she was not ready to brief EPA leadership on the federal lead strategy about three weeks before she was put on leave (please see 834-835 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Etzel said she was going to finish the federal lead strategy in June 2018 (please see 840 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why was it delayed?
- We will say that OCHP had a 360 leadership assessment that raised "several concerns" (please see 702 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). What were those concerns?
- We will say that EPA Chief of Staff Ryan Jackson questioned why the American Academy of Pediatrics wasn't familiar with OCHP (please see 616 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will quote emails from John Konkus and Jackson discussing press strategy in response to Etzel being put on leave, such as "opportunity to strike" and "press pushing back on her" (please see 3 Records Resonsive\_OCHP FOIAs\_7.19.2019\_, 555 Records Resonsive\_OCHP FOIAs\_7.19.2019\_ and 556 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?

- We will say that Konkus received a list of EPA children’s health-related grants (please see 594-598 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why was Konkus reviewing such grants? I ask because his grants review was rescinded in May 2018, according to this email ([https://www.eenews.net/assets/2018/06/18/document\\_gw\\_19.pdf](https://www.eenews.net/assets/2018/06/18/document_gw_19.pdf)).
- We will quote emails from OCHP officials saying they were not consulted on the children’s health booklet (please see 334-335 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why weren’t OCHP officials consulted on this booklet?
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- We will say that Etzel returned to EPA in March 2019 and was reassigned to “unclassified duties” in the Office of Water’s Office of Science and Technology (please see Page 4 R Etzel complete eOPF\_Redacted). Do you have any additional comment?

Please get back to me as soon as possible. My deadline is close of business Wednesday, Aug. 28, but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

**Kevin Bogardus**  
E&E News Reporter  
[kbogardus@eenews.net](mailto:kbogardus@eenews.net)  
202-446-0401 (p)  

Ex. 6 Personal Privacy (PP) (c)

  
202-737-5299 (f)

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<Page 2 R Etzel complete eOPF\_Redacted.pdf>  
<Page 5 R Etzel complete eOPF\_Redacted.pdf>  
<834-835 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf>  
<840 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf>  
<702 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf>  
<616 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf>  
<3 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf>  
<555 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf>  
<556 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf>  
<594-598 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf>

<334-335 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf>  
<565 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf>  
<Page 4 R Etzel complete eOPF\_Redacted.pdf>



Message

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 8/26/2019 8:48:58 PM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Woods, Andrea [Woods.Andrea@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** FW: Ruth Etzel  
**Attachments:** Page 2 R Etzel complete eOPF\_Redacted.pdf; Page 5 R Etzel complete eOPF\_Redacted.pdf; 834-835 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 840 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 702 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 616 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 3 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 555 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 556 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 594-598 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 334-335 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 565 Records Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; Page 4 R Etzel complete eOPF\_Redacted.pdf

E&E got some FOIA'd docs on Ruth Etzel. There is a lot here. I don't know if

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

DRAFT:

**Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

**From:** Kevin Bogardus <kbogardus@eenews.net>  
**Sent:** Monday, August 26, 2019 4:13 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>; Press <Press@epa.gov>  
**Cc:** awittenberg@eenews.net  
**Subject:** Ruth Etzel

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**Kevin Bogardus**

E&E News Reporter

[kbogardus@eenews.net](mailto:kbogardus@eenews.net)

202-446-0401 (p)

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Message

---

**From:** Abboud, Michael [abboud.michael@epa.gov]  
**Sent:** 9/25/2019 9:48:07 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** FW: call today at 1:30pm

Here's the link:

<https://www.washingtonpost.com/business/2019/09/10/trump-pushing-major-crackdown-homeless-camps-california-with-aides-discussing-moving-residents-government-backed-facilities/>

---

**From:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Sent:** Wednesday, September 25, 2019 5:40 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>; McFaul, Jessica <mcfaul.jessica@epa.gov>  
**Subject:** RE: call today at 1:30pm

Hey Corry, just a couple of last things. Did you find out if EPA staff went on the trip Susan mentioned and if so, when was it?

And you are still looking for the Wisconsin letter, we haven't gotten that already, right?  
Thanks, Juliet

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Wednesday, September 25, 2019 3:59 PM  
**To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>; McFaul, Jessica <mcfaul.jessica@epa.gov>  
**Subject:** RE: call today at 1:30pm

Hello Juliet and Brady,

Please see attached final letter to Governor Newsom. Embargoed until 8amET tomorrow.

Thank you!!!

---

**From:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Sent:** Wednesday, September 25, 2019 2:44 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>; McFaul, Jessica <mcfaul.jessica@epa.gov>  
**Subject:** RE: call today at 1:30pm

Dear All,  
Thanks for the call. We just wanted to follow up on a few fronts.

1. In terms of the reason for the senior official's anonymity, just provide a relatively pithy one and we will be set on that front.

2. We see the link to the TMDL Susan referenced as a footnote in the letter, so that probably covers it. If there are specific homeless studies you would like to provide, feel free.
3. Also, in terms of the back and forth on the West Side permit, is there an easy way to summarize the dispute b/w EPA and the city? What exactly are the permit standards that the city is saying it doesn't need to meet?
4. In terms of the LA visit that came out, I think it was referenced in this story, for example:  
<https://www.washingtonpost.com/business/2019/09/12/trump-officials-tour-unused-faa-facility-california-search-place-relocate-homeless-people/> Were any EPA officials on that trip? And when exactly did it take place?
5. Is it possible to get the letter to Wisconsin that went out under the last administration, for context?
6. Susan referenced a strategy document that detailed the extent to which federal water standards are being exceeded, and future goals. So it would be helpful to get those specific numbers, especially where the exceedances stand now.
7. In terms of the timing for tomorrow, Corry, if you could give me a call, I wanted to check in with you on that, as well as one other point.

Best,  
Juliet

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, September 25, 2019 1:10 PM  
**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Yep...that is our plan. Thank you.

---

**From:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Sent:** Wednesday, September 25, 2019 1:09 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Thanks so much, we will read it now. And yes, it would be great to get a formatted letter that we can turn into a link, though we wouldn't do that until late today in any event.

Best,  
Juliet

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, September 25, 2019 1:05 PM  
**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Here is an embargoed (until 6amET tomorrow) copy of the text of the letter. The team is still formatting. Once I have the final, I will send it to you, but wanted you to have this info before the call.  
This will be addressed to CA Governor Newsom.

Thank you!

---

**From:** Schiermeyer, Corry  
**Sent:** Wednesday, September 25, 2019 11:48 AM

**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>

**Subject:** RE: call today at 1:30pm

Thank you! trying to do too many things at once...sorry Brady!!!

---

**From:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>

**Sent:** Wednesday, September 25, 2019 11:43 AM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>

**Subject:** RE: call today at 1:30pm

Sounds good, and I am just looping in Brady.

Best,

Juliet

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Wednesday, September 25, 2019 11:26 AM

**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** call today at 1:30pm

**CAUTION: EXTERNAL SENDER**

Hello Juliet,

Here is the call in info for the call today. I am still working on getting you the final letter, under the embargo until 6am tomorrow. Please let me know if you have any questions!

Ex. 6 Personal Privacy (PP)

Extension: Ex. 6 Personal Privacy (PP)

Participant Code: Ex. 6 Personal Privacy (PP)

Corry Schiermeyer  
Associate Administrator  
Office of Public Affairs  
Environmental Protection Agency  
[Schiermeyer.corry@epa.gov](mailto:Schiermeyer.corry@epa.gov)  
202-564-6782

**To:** Drinkard, Andrea[Drinkard.Andrea@epa.gov]; Schiermeyer, Corry[schiermeyer.corry@epa.gov]; McFaul, Jessica[mcfaul.jessica@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Bennett, Isabella[Bennett.Isabella@epa.gov]  
**From:** Daguillard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]  
**Sent:** Thur 7/11/2019 2:31:56 PM (UTC)  
**Subject:** OPA/OPE: Sulfoxaflor Rollout Materials  
RMD\_0710\_Comms Roll-out Strategy - Sulfoxaflor 2019.docx  
Sulfoxaflor Press Release 7-10-19.docx  
Talking Points - Sulfoxaflor 2019.docx

Attached, and ahead of our 11:30 meeting.

Cheers, R.

Robert Daguillard  
Communications Officer (Detail)  
Office of Chemical Safety  
and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

**To:** Schiermeyer, Corry[schiermeyer.corry@epa.gov]; Dunn, Alexandra[dunn.alexandra@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]  
**Cc:** Abboud, Michael[abboud.michael@epa.gov]; Han, Kaythi[Han.Kaythi@epa.gov]; Dunton, Cheryl[Dunton.Cheryl@epa.gov]; Bertrand, Charlotte[Bertrand.Charlotte@epa.gov]; Murdie, Ashley[murdie.ashley@epa.gov]; Jones, Doug[jones.doug@epa.gov]; Gulliford, Jim[gulliford.jim@epa.gov]; Subramanian, Hema[Subramanian.Hema@epa.gov]; Mills, William T.[mills.williamt@epa.gov]  
**From:** Daguiard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUIILLARD,]  
**Sent:** Wed 7/10/2019 2:44:30 PM (UTC)  
**Subject:** RE: CORRY/TATE: Sulfoxaflor materials  
[RMD 0710 Comms Roll-out Strategy - Sulfoxaflor 2019.docx](#)  
[Sulfoxaflor Back Pocket QsAs \(Internal\) 7 10 2019 ds.docx](#)  
[Sulfoxaflor Press Release 7-10-19.docx](#)

+ Hema and William.

Cheers, R.

Robert Daguiard  
Communications Officer (Detail)  
Office of Chemical Safety  
and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)

---

**From:** Schiermeyer, Corry  
**Sent:** Wednesday, July 10, 2019 10:19 AM  
**To:** Dunn, Alexandra <dunn.alexandra@epa.gov>; Daguiard, Robert <Daguiard.Robert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Murdie, Ashley <murdie.ashley@epa.gov>; Jones, Doug <jones.doug@epa.gov>; Gulliford, Jim <gulliford.jim@epa.gov>  
**Subject:** RE: CORRY/TATE: Sulfoxaflor materials

Absolutely agree!

---

**From:** Dunn, Alexandra  
**Sent:** Wednesday, July 10, 2019 10:13 AM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Murdie, Ashley <murdie.ashley@epa.gov>; Jones, Doug <jones.doug@epa.gov>; Gulliford, Jim <gulliford.jim@epa.gov>  
**Subject:** RE: CORRY/TATE: Sulfoxaflor materials

Jim Gulliford is here in my office and is available to amplify in Region 7. We think the best approach is to make a Region 7 “complimentary” press release to the National with a quote from Jim and one from me. This will get picked up in R7 local press. Doug Jones (R7 Ag), Jim, and Ashley Murdie (R7 OPA) are copied.

Alexandra Dapolito Dunn, Esq.  
Assistant Administrator  
Office of Chemical Safety and Pollution Prevention  
U.S. Environmental Protection Agency  
(202) 564-2910  
[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)

---

**From:** Daguiard, Robert  
**Sent:** Wednesday, July 10, 2019 9:55 AM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>; Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Han, Kaythi <[Han.Kaythi@epa.gov](mailto:Han.Kaythi@epa.gov)>; Dunton, Cheryl <[Dunton.Cheryl@epa.gov](mailto:Dunton.Cheryl@epa.gov)>;  
Bertrand, Charlotte <[Bertrand.Charlotte@epa.gov](mailto:Bertrand.Charlotte@epa.gov)>; Dunn, Alexandra <[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)>  
**Subject:** CORRY/TATE: Sulfoxaflor materials

Colleagues, here are the updated Sulfoxaflor materials. Social media and exclusive interview talkers are still going through senior management review, but the attached should give you a pretty good idea of our messaging.

I'll liaise with Michael separately about the interview. Names on our list so far follow. Mike, let me know what/who else you'd like to target.

Outlet	Reporter	State/Region	Contact
Agri-Pulse	Steve Davies	National	<a href="mailto:steve@agri-pulse.com">steve@agri-pulse.com</a>
Cromwell Ag Radio Network	Jeff Nalley	IL, IN, KY/4,5	<a href="mailto:jeffnalley@earthlink.net">jeffnalley@earthlink.net</a> , 270-929-1139 (cell); 270-729-5112 (studio)
Farm Journal, AgDay Television	Clinton Griffiths	National	<a href="mailto:cgriffiths@farmjournal.com">cgriffiths@farmjournal.com</a> ; (574) 284-3166
Southeast Ag Radio Network	Gary Cooper, President/CEO/Broadcaster	FL, GA, AL/4	<a href="mailto:gary@southeastagnet.com">gary@southeastagnet.com</a> ; (352) 671-1909
SuperTalk Mississippi, JT Show	Camie Crowe, Production Manager	MS/4	<a href="mailto:camie@telesouth.com">camie@telesouth.com</a>

Cheers, R.

Robert Daguillard  
Communications Officer (Detail)  
Office of Chemical Safety  
and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, DC  
+1 (202) 564-6618 (O)  

Ex. 6 Personal Privacy (PP)

 (M)



Message

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**From:** Kramer, Jessica L. [kramer.jessical@epa.gov]  
**Sent:** 7/18/2019 2:15:28 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Zimmer, Nathaniel [zimmer.nathaniel@epa.gov]  
**CC:** Bennett, Tate [Bennett.Tate@epa.gov]  
**Subject:** RE: Lake Guardian  
**Attachments:** Lake Guardian Tour Briefing Paper Draft.docx

Hi Corry,

We provided a briefing paper for AAW's evening reads Monday, which I've attached here. It didn't follow this template and based on the fact that folks in the region are en route to Cleveland already it seems like they may not meet the timeline to get it into this format. I've attached what has already been provided so at least there is something. If R5 gets it into the format you attached and finished before 11:00 I'll make sure it gets into your hands. Thanks!

Jess

Jessica L. Kramer  
Policy Counsel to the Assistant Administrator  
Office of Water  
(202) 564-6322

---

**From:** Schiermeyer, Corry  
**Sent:** Thursday, July 18, 2019 7:48 AM  
**To:** Kramer, Jessica L. <kramer.jessical@epa.gov>; Zimmer, Nathaniel <zimmer.nathaniel@epa.gov>  
**Cc:** Bennett, Tate <Bennett.Tate@epa.gov>  
**Subject:** Lake Guardian

Hello Nate and Jessica,

Do you all have a briefing paper for the Lake Guardian? I did one for the press conference portion, as it is open press, but I did not do one for the actual tour.

If you don't have a briefing paper, please see attached template and you can send to me by 11am and I will finalize and get to the front office.

Thank you!

Corry Schiermeyer  
Associate Administrator  
Office of Public Affairs  
Environmental Protection Agency  
[Schiermeyer.corry@epa.gov](mailto:Schiermeyer.corry@epa.gov)  
202-564-6782

**To:** Dennis, Allison[Dennis.Allison@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]  
**Cc:** Drinkard, Andrea[Drinkard.Andrea@epa.gov]  
**From:** Schiermeyer, Corry[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** Mon 4/15/2019 7:13:34 PM (UTC)  
**Subject:** RE: DHC/Conduit Roll Out Materials

Allison,

Can you send me the roll out plan in a word document, please. I want to send to the AO, but they only need the Q/A and talking points.

Thank you!

---

**From:** Dennis, Allison  
**Sent:** Monday, April 15, 2019 2:32 PM  
**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** Fwd: DHC/Conduit Roll Out Materials

See the rollout out for the TPs.

Sent from my iPhone  
Begin forwarded message:

**From:** "Wildeman, Anna" <[wildeman.anna@epa.gov](mailto:wildeman.anna@epa.gov)>  
**Date:** April 15, 2019 at 10:42:44 AM EDT  
**To:** "Dennis, Allison" <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>  
**Subject:** Fwd: DHC/Conduit Roll Out Materials

**Anna Wildeman**  
Principal Deputy Assistant Administrator  
Office of Water  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
202-564-5700  
[Wildeman.Anna@epa.gov](mailto:Wildeman.Anna@epa.gov)

Begin forwarded message:

**From:** "Wildeman, Anna" <[wildeman.anna@epa.gov](mailto:wildeman.anna@epa.gov)>  
**Date:** April 14, 2019 at 5:23:26 PM EDT  
**To:** Leadership\_Regional\_Administrators <[Leadership\\_Regional\\_Administrators@epa.gov](mailto:Leadership_Regional_Administrators@epa.gov)>  
**Cc:** "Fotouhi, David" <[Fotouhi.David@epa.gov](mailto:Fotouhi.David@epa.gov)>, "Ross, David P" <[ross.davidp@epa.gov](mailto:ross.davidp@epa.gov)>, "Leopold, Matt (OGC)" <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>, "Molina, Michael" <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
**Subject:** Fwd: DHC/Conduit Roll Out Materials

DELIBERATIVE; CLOSE HOLD MATERIALS  
Hello RAs,  
Tomorrow we will be issuing EPA's Interpretive Statement on the application of the Clean Water Act permitting requirements to discharges to groundwater.

Attached for your information is the comms roll out plan with Q&As and Talking Points. This document provides helpful background and context and is for internal use only.

Also attached is a press release and fact sheet that will be posted to EPA's website as part of the roll out plan.

# Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Please contact Dave Ross or Anna Wildeman if you have questions.

Thank you,  
Anna

**Anna Wildeman**

Principal Deputy Assistant Administrator

Office of Water

Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

202-564-5700

Wildeman.Anna@epa.gov

Message

---

**From:** Schiermeyer, Corry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** 9/25/2019 7:06:37 PM  
**To:** Dennis, Brady [Brady.Dennis@washpost.com]  
**Subject:** FW: call today at 1:30pm

Obviously I forgot to delete you from this email...I'm sorry.

We will be getting you some info....sorry about that.

Not sure about the letter that was mentioned has been...will see what we can do.

---

**From:** Schiermeyer, Corry  
**Sent:** Wednesday, September 25, 2019 2:49 PM  
**To:** Bodine, Susan <bodine.susan@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>; McFaul, Jessica <mcfaul.jessica@epa.gov>  
**Subject:** RE: call today at 1:30pm

Here are her follow up questions.

We have 1 and 2. Is there something you could add in regards to #3?

We will take #4, waiting to see if we can give her #5.

For #6, were you talking about the overall EPA strategic plan?

Thank you again for doing the call!

---

**From:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Sent:** Wednesday, September 25, 2019 2:44 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>; McFaul, Jessica <mcfaul.jessica@epa.gov>  
**Subject:** RE: call today at 1:30pm

Dear All,

Thanks for the call. We just wanted to follow up on a few fronts.

1. In terms of the reason for the senior official's anonymity, just provide a relatively pithy one and we will be set on that front.
2. We see the link to the TMDL Susan referenced as a footnote in the letter, so that probably covers it. If there are specific homeless studies you would like to provide, feel free.
3. Also, in terms of the back and forth on the West Side permit, is there an easy way to summarize the dispute b/w EPA and the city? What exactly are the permit standards that the city is saying it doesn't need to meet?
4. In terms of the LA visit that came out, I think it was referenced in this story, for example:  
<https://www.washingtonpost.com/business/2019/09/12/trump-officials-tour-unused-faa-facility-california-search-place-relocate-homeless-people/> Were any EPA officials on that trip? And when exactly did it take place?
5. Is it possible to get the letter to Wisconsin that went out under the last administration, for context?
6. Susan referenced a strategy document that detailed the extent to which federal water standards are being exceeded, and future goals. So it would be helpful to get those specific numbers, especially where the exceedances stand now.

7. In terms of the timing for tomorrow, Corry, if you could give me a call, I wanted to check in with you on that, as well as one other point.

Best,  
Juliet

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, September 25, 2019 1:10 PM  
**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Yep...that is our plan. Thank you.

---

**From:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Sent:** Wednesday, September 25, 2019 1:09 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Thanks so much, we will read it now. And yes, it would be great to get a formatted letter that we can turn into a link, though we wouldn't do that until late today in any event.

Best,  
Juliet

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, September 25, 2019 1:05 PM  
**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Here is an embargoed (until 6amET tomorrow) copy of the text of the letter. The team is still formatting. Once I have the final, I will send it to you, but wanted you to have this info before the call.

This will be addressed to CA Governor Newsom.

Thank you!

---

**From:** Schiermeyer, Corry  
**Sent:** Wednesday, September 25, 2019 11:48 AM  
**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>  
**Subject:** RE: call today at 1:30pm

Thank you! trying to do too many things at once...sorry Brady!!!

---

**From:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Sent:** Wednesday, September 25, 2019 11:43 AM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady

<Brady.Dennis@washpost.com>

**Subject:** RE: call today at 1:30pm

Sounds good, and I am just looping in Brady.

Best,

Juliet

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Sent:** Wednesday, September 25, 2019 11:26 AM

**To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** call today at 1:30pm

**CAUTION: EXTERNAL SENDER**

Hello Juliet,

Here is the call in info for the call today. I am still working on getting you the final letter, under the embargo until 6am tomorrow. Please let me know if you have any questions!

Ex. 6 Personal Privacy (PP)

Extension: Ex. 6 Personal Privacy (PP)

Participant Code: Ex. 6 Personal Privacy (PP)

Corry Schiermeyer  
Associate Administrator  
Office of Public Affairs  
Environmental Protection Agency  
[Schiermeyer.corry@epa.gov](mailto:Schiermeyer.corry@epa.gov)  
202-564-6782

Message

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**From:** Schiermeyer, Corry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** 6/24/2019 8:45:42 PM  
**To:** Daguiillard, Robert [Daguiillard.Robert@epa.gov]  
**Subject:** Re: TRAVIS: Your questions on lead dust and lead-based paint?

That’s exactly what I had buried somewhere in email

Sent from my iPhone

On Jun 24, 2019, at 3:21 PM, Daguiillard, Robert <[Daguiillard.Robert@epa.gov](mailto:Daguiillard.Robert@epa.gov)> wrote:

Hey Travis,

For attribution to “an EPA Spokesperson,” please:

While EPA is not proposing to change the clearance standards today, EPA does intend to review the clearance levels at a later date. EPA has initiated action on this issue under a separate rulemaking, entitled “Review of Post-Abatement Clearance Levels for Dust-lead” (RIN 2070-AK50), as noted in the Spring 2019 Unified Agenda of Regulatory and Deregulatory Actions.

EPA did not propose to change the post-abatement clearance levels in this rule because we focused this rulemaking on the dust lead hazard standard and the definition of lead based paint which were the subject of the underlying lawsuit.

While the final rule signed on Friday does not change the clearance levels under EPA’s regulations, it will have the effect of changing clearance levels under HUD’s Lead Safe Housing Rule (LSHR) because the LSHR cross-references EPA’s dust-lead hazard standards (DLHS)

Cheers, R.

**Robert Daguiillard**  
**Communications Officer (Detail)**  
**Office of Chemical Safety**  
**and Pollution Prevention**  
**U.S. Environmental Protection Agency**  
**Washington, DC**  
**+1 (202) 564-6618 (O)**  
**Ex. 6 Personal Privacy (PP) (M)**

---

**From:** Bubenik, Travis D <[tbubenik@houstonpublicmedia.org](mailto:tbubenik@houstonpublicmedia.org)>  
**Sent:** Monday, June 24, 2019 3:58 PM  
**To:** Daguiillard, Robert <[Daguiillard.Robert@epa.gov](mailto:Daguiillard.Robert@epa.gov)>; Bubenik, Travis D <[tbubenik@houstonpublicmedia.org](mailto:tbubenik@houstonpublicmedia.org)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: TRAVIS: Your questions on lead dust and lead-based paint?

Yea this is what I sent them: is there a timeline on a final rule in [this related rulemaking](#) about the clearance levels? ([The critics’ take](#) is that the tightened standards aren’t enough without the same changes to the clearance standards.)

Deadline tomorrow 5 PM CT is fine, thanks!

-----  
Travis Bubenik  
Energy & Environment Reporter  
office 713-743-5793  
mobile 

Ex. 6 Personal Privacy (PP)

**Houston Public Media**  
TV 8 | PBS News 88.7 | NPR Classical  
[houstonpublicmedia.org](http://houstonpublicmedia.org)

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Houston Public Media is supported with your gifts  
to the HOUSTON PUBLIC MEDIA FOUNDATION.

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**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Monday, June 24, 2019 2:56 PM  
**To:** Bubenik, Travis D <[tbubenik@houstonpublicmedia.org](mailto:tbubenik@houstonpublicmedia.org)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** TRAVIS: Your questions on lead dust and lead-based paint?

Travis, I understand you have questions with our Dallas office regarding EPA’s recent announcement on lead dust standards, as well as on lead-based paint.

What’s your deadline, please?

Cheers, R.

**Robert Daguillard**  
**Communications Officer (Detail)**  
**Office of Chemical Safety**  
**and Pollution Prevention**  
**U.S. Environmental Protection Agency**  
**Washington, DC**  
**+1 (202) 564-6618 (O)**  

Ex. 6 Personal Privacy (PP)

**(M)**



Message

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**From:** Schiermeyer, Corry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** 7/26/2019 9:09:21 PM  
**To:** Jagla, Magdalena (Toomey) [Magdalena\_Jagla@toomey.senate.gov]  
**Subject:** Re: Morrow Energy press avail

Thank you!

Sent from my iPhone

On Jul 26, 2019, at 5:03 PM, Jagla, Magdalena (Toomey) <Magdalena\_Jagla@toomey.senate.gov> wrote:

Hi Corry,

Below is the list we have compiled today. I will update you as more come in. Have a great weekend!

**Media RSVPs:**

NBC10: Lauren Mayk and Photographer  
Reuters: Laila Kearney  
E&E: Corbin Hiar  
Delco Times: Kevin Tustin  
AP: Matt Rourke  
Bloomberg: Stephen Cunningham  
Neighborhood Leader: Heshimu Jaramogi  
KYW: Kim Glovas

Magdalena Jagla | Deputy Press Secretary  
Office of U.S. Senator Pat Toomey  
215-241-1090 | [toomey.senate.gov](mailto:toomey.senate.gov)



<image002.jpg>

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Friday, July 26, 2019 2:58 PM  
**To:** Jagla, Magdalena (Toomey) <Magdalena\_Jagla@toomey.senate.gov>  
**Subject:** FW: Morrow Energy press avail

**Here is another RSVP for Monday.**

**Resent-From:** <[Press@epa.gov](mailto:Press@epa.gov)>

**From:** Heshimu Jaramogi **Ex. 6 Personal Privacy (PP)**

**Date:** July 26, 2019 at 1:57:18 PM EDT

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Morrow Energy press avail

Hi,

I plan to attend the Monroe Energy media event on Monday.

Thanks,

Heshimu Jaramogi  
Editor The Neighborhood Leader

**From:** Schiermeyer, Corry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** 9/25/2019 10:12:25 PM  
**To:** Eilperin, Juliet [Juliet.Eilperin@washpost.com]  
**CC:** Dennis, Brady [Brady.Dennis@washpost.com]  
**Subject:** RE: call today at 1:30pm  
**Attachments:** 75 Issues.pdf

Here is the Wisconsin letter. Apparently it was made public.  
There was also a news story I found online about it: <http://archive.jsonline.com/news/wisconsin/126641438.html>

**From:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Sent:** Wednesday, September 25, 2019 6:01 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>; McFaul, Jessica <mcfaul.jessica@epa.gov>  
**Subject:** Re: call today at 1:30pm

Ok, I didn't see EPA listed in the trip, it named several other agencies. I can get the date from the reporter who covered it, I just wasn't sure it was the same trip.

On Sep 25, 2019, at 5:56 PM, Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

Working on the letter.

The WP already reported that a group from the Administration, including EPA staff was on the trip. Article also referenced dates/timing. It was not an EPA trip, I don't have the details, but it is accurate to report EPA had staff on the trip.

Sent from my iPhone

On Sep 25, 2019, at 5:40 PM, Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)> wrote:

Hey Corry, just a couple of last things. Did you find out if EPA staff went on the trip Susan mentioned and if so, when was it?

And you are still looking for the Wisconsin letter, we haven't gotten that already, right?  
Thanks, Juliet

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, September 25, 2019 3:59 PM  
**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Hello Juliet and Brady,

Please see attached final letter to Governor Newsom. Embargoed until 8amET tomorrow.

Thank you!!!

---

**From:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Sent:** Wednesday, September 25, 2019 2:44 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>;  
Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica  
<[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Dear All,  
Thanks for the call. We just wanted to follow up on a few fronts.

1. In terms of the reason for the senior official's anonymity, just provide a relatively pithy one and we will be set on that front.
2. We see the link to the TMDL Susan referenced as a footnote in the letter, so that probably covers it. If there are specific homeless studies you would like to provide, feel free.
3. Also, in terms of the back and forth on the West Side permit, is there an easy way to summarize the dispute b/w EPA and the city? What exactly are the permit standards that the city is saying it doesn't need to meet?
4. In terms of the LA visit that came out, I think it was referenced in this story, for example: <https://www.washingtonpost.com/business/2019/09/12/trump-officials-tour-unused-faa-facility-california-search-place-relocate-homeless-people/>. Were any EPA officials on that trip? And when exactly did it take place?
5. Is it possible to get the letter to Wisconsin that went out under the last administration, for context?
6. Susan referenced a strategy document that detailed the extent to which federal water standards are being exceeded, and future goals. So it would be helpful to get those specific numbers, especially where the exceedances stand now.
7. In terms of the timing for tomorrow, Corry, if you could give me a call, I wanted to check in with you on that, as well as one other point.

Best,  
Juliet

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, September 25, 2019 1:10 PM  
**To:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>;  
Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica  
<[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: call today at 1:30pm

Yep...that is our plan. Thank you.

---

**From:** Eilperin, Juliet <[Juliet.Eilperin@washpost.com](mailto:Juliet.Eilperin@washpost.com)>  
**Sent:** Wednesday, September 25, 2019 1:09 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>;  
Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)>; McFaul, Jessica

<mcfaul.jessica@epa.gov>  
**Subject:** RE: call today at 1:30pm

Thanks so much, we will read it now. And yes, it would be great to get a formatted letter that we can turn into a link, though we wouldn't do that until late today in any event.  
Best,  
Juliet

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Wednesday, September 25, 2019 1:05 PM  
**To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>; McFaul, Jessica <mcfaul.jessica@epa.gov>  
**Subject:** RE: call today at 1:30pm

Here is an embargoed (until 6amET tomorrow) copy of the text of the letter. The team is still formatting. Once I have the final, I will send it to you, but wanted you to have this info before the call.  
This will be addressed to CA Governor Newsom.

Thank you!

---

**From:** Schiermeyer, Corry  
**Sent:** Wednesday, September 25, 2019 11:48 AM  
**To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>  
**Subject:** RE: call today at 1:30pm

Thank you! trying to do too many things at once...sorry Brady!!!

---

**From:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Sent:** Wednesday, September 25, 2019 11:43 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>  
**Subject:** RE: call today at 1:30pm

Sounds good, and I am just looping in Brady.  
Best,  
Juliet

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Wednesday, September 25, 2019 11:26 AM  
**To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** call today at 1:30pm

CAUTION: EXTERNAL SENDER

Hello Juliet,

Here is the call in info for the call today. I am still working on getting you the final letter, under the embargo until 6am tomorrow. Please let me know if you have any questions!

Ex. 6 Personal Privacy (PP)

Extension: Ex. 6 Personal Privacy (PP)

Participant Code: Ex. 6 Personal Privacy (PP)

Corry Schiermeyer  
Associate Administrator  
Office of Public Affairs  
Environmental Protection Agency  
[Schiermeyer.corry@epa.gov](mailto:Schiermeyer.corry@epa.gov)  
202-564-6782

Message

**From:** Schiermeyer, Corry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** 8/26/2019 8:52:27 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Subject:** RE: Ruth Etzel

Ryan wants to get together on this tomorrow...10:30 ish?

---

**From:** Abboud, Michael <abboud.michael@epa.gov>  
**Sent:** Monday, August 26, 2019 4:49 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** FW: Ruth Etzel

E&E got some FOIA'd docs on Ruth Etzel. There is a lot here. I don't know if

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

**DRAFT:**

**Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

---

**From:** Kevin Bogardus <kbogardus@eenews.net>  
**Sent:** Monday, August 26, 2019 4:13 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>; Press <Press@epa.gov>  
**Cc:** awittenberg@eenews.net  
**Subject:** Ruth Etzel

Hey everyone,

It's Kevin Bogardus with E&E News.

Myself and my colleague Ariel Wittenberg (who is CCed on this email) are working on a story about Ruth Etzel, the former director of EPA's Office of Children's Health Protection. In our story, we are linking to and quoting from EPA emails and personnel records that I obtained under the Freedom of Information Act (please see attached). I had a few questions about this, which are:

- Etzel was given a pay raise in January 2018 (please see Page 5 R Etzel complete eOPF\_Redacted) and a cash award in August 2018 (please see Page 2 R Etzel complete eOPF\_Redacted), about a month before she was put on leave. Why did Etzel get a pay raise and a cash award when there were allegations about her leadership of OCHP?
- We will say that Etzel was told she was not ready to brief EPA leadership on the federal lead strategy about three weeks before she was put on leave (please see 834-835 Records Responsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?

- We will say that Etzel said she was going to finish the federal lead strategy in June 2018 (please see 840 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why was it delayed?
- We will say that OCHP had a 360 leadership assessment that raised “several concerns” (please see 702 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). What were those concerns?
- We will say that EPA Chief of Staff Ryan Jackson questioned why the American Academy of Pediatrics wasn’t familiar with OCHP (please see 616 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will quote emails from John Konkus and Jackson discussing press strategy in response to Etzel being put on leave, such as “opportunity to strike” and “press pushing back on her” (please see 3 Records Resonsive\_OCHP FOIAs\_7.19.2019\_, 555 Records Resonsive\_OCHP FOIAs\_7.19.2019\_ and 556 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Konkus received a list of EPA children’s health-related grants (please see 594-598 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why was Konkus reviewing such grants? I ask because his grants review was rescinded in May 2018, according to this email ([https://www.eenews.net/assets/2018/06/18/document\\_gw\\_19.pdf](https://www.eenews.net/assets/2018/06/18/document_gw_19.pdf)).
- We will quote emails from OCHP officials saying they were not consulted on the children’s health booklet (please see 334-335 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why weren’t OCHP officials consulted on this booklet?
- We will say Veronica Darwin gathered materials on children’s health for the booklet (please see 565 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Etzel returned to EPA in March 2019 and was reassigned to “unclassified duties” in the Office of Water’s Office of Science and Technology (please see Page 4 R Etzel complete eOPF\_Redacted). Do you have any additional comment?

Please get back to me as soon as possible. My deadline is close of business Wednesday, Aug. 28, but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

**Kevin Bogardus**

E&E News Reporter

[kbogardus@eenews.net](mailto:kbogardus@eenews.net)

202-446-0401 (p)

Ex. 6 Personal Privacy (PP) (c)

202-737-5299 (f)

Follow me [@KevinBogardus](https://twitter.com/KevinBogardus)

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM, E&ETV



**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Schiermeyer, Corry[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** Mon 8/26/2019 8:38:12 PM (UTC)  
**Subject:** RE: Ruth Etzel

Yes...will pull in Michael Abboud, too.

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Monday, August 26, 2019 4:37 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** Fwd: Ruth Etzel

Never stops with nonsense. Would you like to get together tomorrow?

Ryan Jackson  
Chief of Staff  
U.S. EPA  
Ex. 6 Personal Privacy (PP)

Begin forwarded message:

**From:** Kevin Bogardus <kbogardus@eenews.net>  
**Date:** August 26, 2019 at 4:19:00 PM EDT  
**To:** "Jackson, Ryan" <jackson.ryan@epa.gov>  
**Subject:** FW: Ruth Etzel

Ryan,

Hi, it's Kevin Bogardus with E&E News.

Myself and my colleague Ariel Wittenberg are working on a story about Ruth Etzel, the former director of EPA's Office of Children's Health Protection. Below is our official query to EPA's press office. That said, since we quote you from some of the emails I obtained under the Freedom of Information Act, I wanted to give you a heads up about the story and see if you wanted to add any comment in response to our questions.

If you do wish to comment, please let me know. My deadline is close of business Wednesday, Aug. 28, so please get back to me before then. Thank you for your help.

**Kevin Bogardus**  
E&E News Reporter  
[kbogardus@eenews.net](mailto:kbogardus@eenews.net)  
202-446-0401 (p)  
Ex. 6 Personal Privacy (PP) (c)  
202-737-5299 (f)

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---

**From:** Kevin Bogardus

**Sent:** Monday, August 26, 2019 4:13 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>; 'Abboud, Michael' <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>; Beach, Christopher <[beach.christopher@epa.gov](mailto:beach.christopher@epa.gov)>; Woods, Andrea <[Woods.Andrea@epa.gov](mailto:Woods.Andrea@epa.gov)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Cc:** Ariel Wittenberg <[awittenberg@eenews.net](mailto:awittenberg@eenews.net)>

**Subject:** Ruth Etzel

Hey everyone,

It's Kevin Bogardus with E&E News.

Myself and my colleague Ariel Wittenberg (who is CCed on this email) are working on a story about Ruth Etzel, the former director of EPA's Office of Children's Health Protection. In our story, we are linking to and quoting from EPA emails and personnel records that I obtained under the Freedom of Information Act (please see attached). I had a few questions about this, which are:

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- We will say that OCHP had a 360 leadership assessment that raised "several concerns" (please see 702 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). What were those concerns?
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- We will quote emails from John Konkus and Jackson discussing press strategy in response to Etzel being put on leave, such as "opportunity to strike" and "press pushing back on her" (please see 3 Records Resonsive\_OCHP FOIAs\_7.19.2019\_, 555 Records Resonsive\_OCHP FOIAs\_7.19.2019\_ and 556 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Konkus received a list of EPA children's health-related grants (please see 594-598 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why was Konkus reviewing such grants? I ask because his grants review was rescinded in May 2018, according to this email ([https://www.eenews.net/assets/2018/06/18/document\\_gw\\_19.pdf](https://www.eenews.net/assets/2018/06/18/document_gw_19.pdf)).
- We will quote emails from OCHP officials saying they were not consulted on the children's health booklet (please see 334-335 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why weren't OCHP officials consulted on this booklet?

- We will say Veronica Darwin gathered materials on children's health for the booklet (please see 565 Records Responsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Etzel returned to EPA in March 2019 and was reassigned to "unclassified duties" in the Office of Water's Office of Science and Technology (please see Page 4 R Etzel complete eOPF\_Redacted). Do you have any additional comment?

Please get back to me as soon as possible. My deadline is close of business Wednesday, Aug. 28, but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

**Kevin Bogardus**

E&E News Reporter

[kbogardus@eenews.net](mailto:kbogardus@eenews.net)

202-446-0401 (p)

Ex. 6 Personal Privacy (PP) (c)

202-737-5299 (f)

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM, E&ETV

Message

---

**From:** Schiermeyer, Corry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** 8/2/2019 9:21:58 PM  
**To:** Tonya Muse [TMuse@nam.org]; Ross Eisenberg [REisenberg@nam.org]  
**CC:** Michael Shapiro [MShapiro@nam.org]; Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** RE: CMA Conference Agenda

Hello Tonya,

Thank you. I am looping in our Press Secretary, Michael Abboud, as well. We will more than likely just do interviews before the speech, with an embargo until speech time, but Michael is working the media side and will be traveling with the Administrator. I have all the other comms.

Thank you!

---

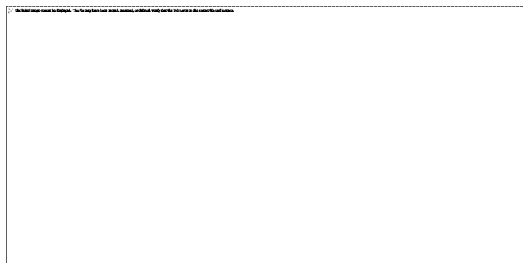
**From:** Tonya Muse <TMuse@nam.org>  
**Sent:** Friday, August 2, 2019 5:08 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Ross Eisenberg <REisenberg@nam.org>  
**Cc:** Michael Shapiro <MShapiro@nam.org>  
**Subject:** RE: CMA Conference Agenda

Hi Corry, I am touching base to see if you are all set regarding the Administrator's speaking engagement next week. I currently have the Administrator scheduled for 11:15 am on Friday, August 7. The session will be 45 minutes to include Q&A with Jay Timmons, as well as questions from the floor.

I also want to confirm that there is no press.

Best,  
Tonya

Tonya W. Muse, FASAE, CAE  
National Association of Manufacturers  
Executive Director, Council of Manufacturing Associations  
Email: [tmuse@nam.org](mailto:tmuse@nam.org)  
Direct: 202.637.3130  
[@tonya\\_muse](#)  
[@namcma](#)  
[NAM Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#)



---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, July 10, 2019 2:28 PM

**To:** Ross Eisenberg <[REisenberg@nam.org](mailto:REisenberg@nam.org)>  
**Cc:** Tonya Muse <[TMuse@nam.org](mailto:TMuse@nam.org)>; Michael Shapiro <[MShapiro@nam.org](mailto:MShapiro@nam.org)>  
**Subject:** Re: CMA Conference Agenda

Thank you.

Michael...I look forward to touching base, soon.

Thank you

Sent from my iPhone

On Jul 10, 2019, at 2:22 PM, Ross Eisenberg <[REisenberg@nam.org](mailto:REisenberg@nam.org)> wrote:

Corry – I'm looping in Michael Shapiro on this email, who will be running the media relations side of the event for NAM. He can answer the questions you had about open/closed press, etc.

Thanks again for your time today. We're looking forward to this event.

---

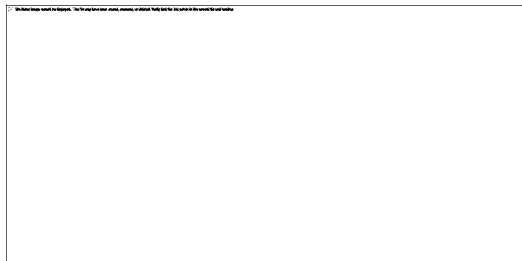
**From:** Tonya Muse  
**Sent:** Wednesday, July 10, 2019 2:20 PM  
**To:** [schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)  
**Cc:** Ross Eisenberg <[REisenberg@nam.org](mailto:REisenberg@nam.org)>  
**Subject:** CMA Conference Agenda

Corry, thanks for the call today. [Here](#) is a copy of the agenda so you can get a sense of the sessions and speakers. Also, [here](#) is a list of attendees to date. It is live and updated as people register.

Let me know if you have any questions.

Best,  
Tonya

Tonya W. Muse, FASAE, CAE  
National Association of Manufacturers  
Executive Director, Council of Manufacturing Associations  
Email: [tmuse@nam.org](mailto:tmuse@nam.org)  
Direct: 202.637.3130  
[@tonya\\_muse](#)  
[@namcma](#)  
[NAM Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#)



Message

---

**From:** Christopher Flavelle (BLOOMBERG/ NEWSROOM:) [cflavelle@bloomberg.net]  
**Sent:** 4/10/2018 5:56:02 PM  
**To:** Wilcox, Jahan [wilcox.jahan@epa.gov]; Minoli, Kevin [Minoli.Kevin@epa.gov]  
**Subject:** Re: Seeking comment

Kevin, can I treat this email as on the record and for attribution? You haven't indicated otherwise; if so, I'll update the story now.

---

Christopher Flavelle  
Climate adaptation reporter, Bloomberg News  
[cflavelle@bloomberg.net](mailto:cflavelle@bloomberg.net) | @cflav  
Direct line: 202-807-2202  
Signal: Ex. 6 Personal Privacy (PP)  
1101 New York Avenue NW  
Washington, DC, 20005

From: Minoli.Kevin@epa.gov At: 04/10/18 11:54:31  
To: Christopher Flavelle (BLOOMBERG/ NEWSROOM: ), [wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)  
Subject: Re: Seeking comment

Christopher- I am writhing regarding your story today where you quote the first sentence of my answer but not the second. That leaves an impression that we do not see any potential ethics issues, which is not accurate.

This hypothetical - or real situation for the Administrator - is not an issue of financial conflicts of interest as that term is defined in the ethics regulations. It is, as my April 4th memorandum indicates, an issue of the impartiality of the employee in the performance of their official duties. All employees have to comply with the impartiality requirements in the ethics regulations from the Administrator to the newest employee, and if they are found to have not complied they would each face potential disciplinary action. My memoranda to date to not evaluate the question of whether the Administrator complied with those requirements as that is matter that the Office of Inspector General has been asked to investigate.

Kevin

Kevin S. Minoli  
Principal Deputy General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8040

On Apr 6, 2018, at 6:15 PM, Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)> wrote:

Hi Christopher- I think there may be some confusion regarding the ethics terms conflict of interest and impartiality. The Office of Government Ethics' website is helpful for that (<https://oge.gov/web/oge.nsf/Resources/A+Refresher+on+the+Impartiality+Rule>), and here is language describing the difference from their site:

“Under the primary conflict of interest law, an employee must not participate in any particular matter affecting the employee’s financial interests, and the impartiality rule goes even further by focusing on appearance issues. This rule applies even when the employee is free of financial conflicts of interest.

Briefly stated, the impartiality rule requires an employee to consider appearance concerns before participating in a particular matter if someone close to the employee is involved as a party to that matter. This requirement to refrain from participating (or “recuse”) is designed to avoid the appearance of favoritism in government decision-making.”

So to answer your question:

No, employees would not be violating any conflicts of interest requirements as the tenant in a hypothetical similar situation. As stated at the end of the April 4<sup>th</sup> Memorandum, however, “[All] federal employee[s] must comply with the Standards of Ethical Conduct, including those relating to impartiality, at all times.”

Kevin

**Kevin S. Minoli**

Principal Deputy General Counsel

Office of General Counsel

US Environmental Protection Agency

Main Office Line: 202-564-8064

---

**From:** Christopher Flavelle (BLOOMBERG/ NEWSROOM:)

[mailto:[cflavelle@bloomberg.net](mailto:cflavelle@bloomberg.net)]

**Sent:** Friday, April 06, 2018 5:58 PM

**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>

**Cc:** Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>

**Subject:** Re: Seeking comment

Thanks. Do you want to address the concern raised to me that an employee engaged in this behavior would likely have been subject to some sort of penalty, on the grounds of a perceived conflict of interest?

---

Sent from Bloomberg Professional for iPhone

Christopher Flavelle  
Climate adaptation reporter, Bloomberg News  
[cflavelle@bloomberg.net](mailto:cflavelle@bloomberg.net) | @cflav  
Direct line: 202-807-2202  
Signal: Ex. 6 Personal Privacy (PP)  
1101 New York Avenue NW  
Washington, DC, 20005

----- Original Message -----

From: Jahan Wilcox <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
To: CHRISTOPHER FLAVELLE  
CC: [Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)  
At: 06-Apr-2018 17:55:23

Statement from Kevin that we sent out on Thursday:

Today's memorandum shares the factual analysis done by the career ethics officials and how that analysis supports the conclusion reached in the March 30th Memorandum that the lease did not constitute a prohibited gift. In Reaffirming the original decision, the Memorandum also responds to the misunderstanding or mischaracterization



of the March 30  
memo by explaining  
what the conclusion  
covers and what  
was beyond its  
scope.

<!--[if  
!supportLineBreakN  
ewLine]-->  
<!--[endif]-->

Kevin S. Minoli  
Principal Deputy  
General Counsel  
Office of General  
Counsel  
US Environmental  
Protection Agency

Sent from my iPhone

On Apr 6, 2018, at 5:29 PM, Christopher Flavelle  
(BLOOMBERG/ NEWSROOM:) <[cflavelle@bloomberg.net](mailto:cflavelle@bloomberg.net)>  
wrote:

Good afternoon. We're working on a  
story about what consequences an  
EPA employee might have faced for  
entering a similar rental  
arrangement as Administrator  
Pruitt.

Union officials and outside  
government ethics experts say a  
career staffer would be likely to  
face some sort of disciplinary  
action for such an arrangement,  
noting that it would create the  
perception of a conflict of  
interest. I wondered if your  
office would like to comment.

Also, is the attached appendix  
("Guidance on Corrective  
Discipline") still in effect?

Best,

Chris

---

Christopher Flavelle  
Climate adaptation reporter, Bloomberg News  
[cflavelle@bloomberg.net](mailto:cflavelle@bloomberg.net) | @cflav  
Direct line: 202-807-2202  
Signal: Ex. 6 Personal Privacy (PP)  
1101 New York Avenue NW  
Washington, DC, 20005

<Disciplinary Table (Nature of Offenses).pdf>

**To:** Amy Harder[amy@axios.com]  
**Cc:** Wilcox, Jahan[wilcox.jahan@epa.gov]  
**From:** Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]  
**Sent:** Mon 12/18/2017 5:49:38 PM (UTC)  
**Subject:** CPP -- ANPRM  
FRN State GHG Guidelines 2060-AT67 ANPRM\_20171214\_signature.docx

Attached; you can release this at 1:45 p.m. as an “obtained copy” – not for attribution.

Liz Bowman  
U.S. Environmental Protection Agency (EPA)  
Office: 202-564-3293

**From:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Sent:** 12/18/2017 7:49:06 PM  
**To:** John Siciliano [jsiciliano@washingtonexaminer.com]  
**CC:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** CPP ANPRM  
**Attachments:** FRN State GHG Guidelines 2060-AT67 ANPRM\_20171214\_signature.docx

*Attached is a copy of the ANPRM. This link is where the fact sheet and prepublication version of the ANPRM will be posted, after we have confirmation of signature – it hasn't been signed yet, but we expect any minute. Please wait until the link goes live to publish for attribution...*

<https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-advance-notice-proposed>

## **EPA Announces Next Steps After Proposed Clean Power Plan Repeal**

WASHINGTON (December 18, 2017) – Today, the U.S. Environmental Protection Agency (EPA) issued an Advance Notice of Proposed Rulemaking (ANPRM) to announce that the Agency will solicit public input as it considers the next regulatory steps to limit greenhouse gas (GHG) emissions from existing electric utility generating units (EGUs), also known as power plants.

"Consistent with our commitment to the rule of law, we've already set in motion an assessment of the previous administration's questionable legal basis in our proposed repeal of the Clean Power Plan. With a clean slate, we can now move forward to provide regulatory certainty," **said EPA Administrator Scott Pruitt.** "Today's move ensures adequate and early opportunity for public comment from all stakeholders about next steps the Agency might take to limit greenhouse gases from stationary sources, in a way that properly stays within the law, and the bounds of the authority provided to EPA by Congress."

The ANPRM is a separate, but related, action to the October 16, 2017 proposal to repeal the so-called "Clean Power Plan." In that proposal, EPA proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority.

The ANPRM offers the public the opportunity to comment on specific topics for the Agency to consider in developing any subsequent proposed rule. EPA is specifically soliciting information on systems of emission reduction that are applicable to or at an EGU facility, information on compliance measures, and information on state-planning requirements under Clean Air Act section 111(d).

EPA will take comment on the ANPRM for 60 days after publication in the Federal Register. More information, including the ANPRM and fact sheet, is

available at: <https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-advance-notice-proposed>

Message

---

**From:** Daguiillard, Robert [Daguiillard.Robert@epa.gov]  
**Sent:** 10/23/2017 7:40:31 PM  
**To:** Grantham, Nancy [Grantham.Nancy@epa.gov]  
**CC:** Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** RE: AP story on TSCA

Thanks.

---

**From:** Grantham, Nancy  
**Sent:** Monday, October 23, 2017 3:33 PM  
**To:** Daguiillard, Robert <Daguiillard.Robert@epa.gov>  
**Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>  
**Subject:** RE: AP story on TSCA

Jahan Wilcox

Thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  

Ex. 6 Personal Privacy (PP)

**mobile**

---

**From:** Daguiillard, Robert  
**Sent:** Monday, October 23, 2017 12:25 PM  
**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** FW: AP story on TSCA

The reporter wants a name for attribution. Please advise.

---

**From:** Daguiillard, Robert  
**Sent:** Monday, October 23, 2017 12:09 PM  
**To:** Brown, Matthew <[MBrown@ap.org](mailto:MBrown@ap.org)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: AP story on TSCA

Matt, for attribution, as usual, to “an EPA spokesperson,” please:

**Question 1:** why is EPA evaluating the 10 chemicals under review per TSCA?/what kind of changes to the availability or acceptable uses of these chemicals could result?

**Response 1:** Amendments to the Toxic Substances Control Act (TSCA) required, by December 2016, that EPA select the first 10 chemicals to undergo risk evaluations from the [2014 Update to the TSCA Work Plan](#). If the risk evaluation shows that a chemical substance presents an unreasonable risk, the EPA is required to regulate the chemical substance to the extent necessary so that it no longer presents such risk.

**Question 2:** what are “legacy” uses of chemicals?

**Response 2:** EPA refers to uses that do not reflect ongoing or prospective manufacturing, processing, or distribution, as “legacy uses.”

**Question 3:** why did the EPA decide to exclude legacy uses from its review?

**Response 3:** EPA’s rationale for this interpretation is described in detail in the preamble to “Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act” – a rule finalized on June 22, 2017: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic>.

**Question 4:** firefighters, construction unions and others have raised concerns about the exclusion of legacy uses; how is EPA going to fairly evaluate the risk from these chemicals if it excludes legacy uses? In the same vein, will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these chemicals?

**Response 4:**

As a general matter, EPA will address in its risk evaluations those uses for which it is known, intended, or reasonably foreseen that the chemical is being manufactured, processed, or distributed (i.e., the use is prospective or on-going). However, in a particular risk evaluation, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses.

It is therefore true that, for asbestos, EPA did not include legacy uses in its TSCA scoping document.

---

**From:** Brown, Matthew [<mailto:MBrown@ap.org>]  
**Sent:** Monday, October 16, 2017 6:08 PM  
**To:** Daguiillard, Robert <[Daguiillard.Robert@epa.gov](mailto:Daguiillard.Robert@epa.gov)>  
**Subject:** RE: AP story on TSCA

Hi Robert:  
Here are the basic questions for which we’d like to get on-camera responses (some are repeats from our prior questions that you have already answered).

- why is EPA evaluating the 10 chemicals under review per TSCA?/what kind of changes to the availability or acceptable uses of these chemicals could result?
- what are “legacy” uses of chemicals?
- why did the EPA decide to exclude legacy uses from its review?
- firefighters, construction unions and others have raised concerns about the exclusion of legacy uses; how is EPA going to fairly evaluate the risk from these chemicals if it excludes legacy uses? In the same vein, will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these chemicals?

Thanks for the help. Call right away if any of these need clarification.  
Matt Brown

**Matthew Brown**  
Associated Press Correspondent  
[mbrown@ap.org](mailto:mbrown@ap.org)  
phone-406 896 1528  
mobile[Ex. 6 Personal Privacy (PP)]  
fax-406 896 8117

**From:** Brown, Matthew  
**Sent:** Thursday, October 12, 2017 4:47 PM  
**To:** 'Daguillard, Robert' <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: AP story on TSCA

Thanks, Robert. Appreciate the help.  
Was out today working on that story, the video component I’ve talked about. We’re talking to firefighters, and as you may know their union is pushing EPA to include legacy chemicals in its review.

Would be great to get an on on-camera response to some of the concerns they’ve raised, particularly that the agency’s determination leaves firefighters subject to continued exposures without an adequate evaluation of the risks of those exposures.

If that’s not possible, we can make note in the piece but we would hope to get at least a statement addressing the issue. Anytime tomorrow on a statement would work or let me know about video so we can nail down arrangements at earliest chance.  
(One of the video elements still being worked on by a colleague so story deadline has been getting pushed back.)

Please let me know.

Matt Brown

**Matthew Brown**  
Associated Press Correspondent  
[mbrown@ap.org](mailto:mbrown@ap.org)  
phone-406 896 1528  
mobile 

Ex. 6 Personal Privacy (PP)

  
fax-406 896 8117

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Thursday, October 12, 2017 12:31 PM  
**To:** Brown, Matthew <[MBrown@ap.org](mailto:MBrown@ap.org)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: AP story on TSCA

Matt, for attribution to “an EPA spokesperson,” please:

1. Does the determination on legacy uses apply across all 10 chemicals?

Yes, it applies to all 10 chemicals. EPA’s rationale for this interpretation is described in detail in the preamble to “Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act” – a procedural rule finalized on June 22, 2017. See pages 15-18 of the prepublication copy available on EPA’s website here: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic>. Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going).

2. Where is the line on “distribution in commerce”? If it was a previously distributed product (for which production is continuing) is that considered legacy?

No, because if production is ongoing, the use is not legacy.



As stated above: Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going).

---

**From:** Brown, Matthew [<mailto:MBrown@ap.org>]  
**Sent:** Tuesday, October 10, 2017 2:54 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: AP story on TSCA

Fair enough. Talk to you then.  
Matt Brown

**Matthew Brown**  
Associated Press Correspondent  
[mbrown@ap.org](mailto:mbrown@ap.org)  
phone-406 896 1528  
mobile-

Ex. 6 Personal Privacy (PP)

  
fax-406 896 8117

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Tuesday, October 10, 2017 12:54 PM  
**To:** Brown, Matthew <[MBrown@ap.org](mailto:MBrown@ap.org)>  
**Subject:** RE: AP story on TSCA

Thanks, Matt. Close of business might be ambitious, to be honest (keep in mind yesterday was a federal holiday).

Could we touch base tomorrow AM (your time or mine)? If nothing else, I expect I'd have a better idea of where things stand.

Cheers, R.

---

**From:** Brown, Matthew [<mailto:MBrown@ap.org>]  
**Sent:** Tuesday, October 10, 2017 2:48 PM  
**To:** Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)>  
**Subject:** RE: AP story on TSCA

Thanks Robert. We're hoping to get answers as soon as possible, close of business today if possible, but deadline for on-camera intvw more flexible.  
Matt Brown

**Matthew Brown**  
Associated Press Correspondent  
[mbrown@ap.org](mailto:mbrown@ap.org)  
phone-406 896 1528  
mobile-

Ex. 6 Personal Privacy (PP)

  
fax-406 896 8117

---

**From:** Daguillard, Robert [<mailto:Daguillard.Robert@epa.gov>]  
**Sent:** Tuesday, October 10, 2017 12:47 PM

**To:** Brown, Matthew <MBrown@ap.org>  
**Subject:** RE: AP story on TSCA

Matt, I’m now back in the office and will follow up for you. What’s your firm deadline, please?

---

**From:** Brown, Matthew [mailto:MBrown@ap.org]  
**Sent:** Tuesday, October 10, 2017 2:39 PM  
**To:** Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: AP story on TSCA

Hi Enesta-Following up on our request for some more information on TSCA reviews. Please let me know.

Matt Brown

**Matthew Brown**  
Associated Press Correspondent  
[mbrown@ap.org](mailto:mbrown@ap.org)  
phone-406 896 1528  
mobile-

Ex. 6 Personal Privacy (PP)

  
fax-406 896 8117

---

**From:** Jones, Enesta [mailto:Jones.Enesta@epa.gov]  
**Sent:** Friday, October 06, 2017 3:08 PM  
**To:** Brown, Matthew <MBrown@ap.org>  
**Subject:** Re: AP story on TSCA

Hey Matthew, what’s your firm deadline? Monday is a federal holiday.

On Oct 6, 2017, at 5:06 PM, Brown, Matthew <MBrown@ap.org> wrote:

Hi Enesta-  
I’m hoping to follow up on some assistance that you provided last month on a TSCA story we’ve been working on.

Specifically, I was asking about “legacy” uses of the chemicals being evaluated by the agency. The agency’s scoping material has made clear that legacy uses won’t be considered but I want to be sure I’m not misinterpreting that. A couple specifics:  
-does the determination on legacy uses apply across all 10 chemicals?  
-where is the line on “distribution in commerce”? If it was a previously distributed product (for which production is continuing) is that considered legacy?

Please give me a call or let me know if any of that needs clarification.

We’re looking to move our story next week so an answer at earliest chance would be most appreciated. Also, we’re pursuing a companion video piece for this. Is anyone from the EPA available for a short, on-camera interview on the topic? We would come to you, of course, and could be flexible on timing as needed.

Thanks for your time and all help.

Matt Brown

<image002.jpg>  
**Matthew Brown**

Associated Press Correspondent  
PO Box 36300  
Billings, MT 59107  
[mbrown@ap.org](mailto:mbrown@ap.org)  
phone-406 896 1528  
mobile-

Ex. 6 Personal Privacy (PP)

  
fax-406 896 8117

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The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

Message

---

**From:** Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Sent:** 1/30/2018 10:34:07 PM  
**To:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** current draft of WLL press release thanks ng  
**Attachments:** 2018-2-1 DRAFT News Release re Westlake.docx

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**

Ex. 6 Personal Privacy (PP) (mobile)

---

**From:** Block, Molly  
**Sent:** Monday, January 29, 2018 4:21 PM  
**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: WLL Draft Talking Points

Draft attached.

---

**From:** Block, Molly  
**Sent:** Monday, January 29, 2018 10:30 AM  
**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: WLL Draft Talking Points

Absolutely! I'll get something drafted.

---

**From:** Grantham, Nancy  
**Sent:** Monday, January 29, 2018 10:28 AM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** FW: WLL Draft Talking Points

Hi –

The Administrator is slated to Ex. 5 Deliberative Process (DP)  
Ex. 5 Deliberative Process (DP)

The decision is very close hold -- Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Silvina can help on the content.

Below is something to start from -- Molly – do you mind starting this?

Thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
 Ex. 6 Personal Privacy (PP) **(mobile)**

**From:** Fonseca, Silvina  
**Sent:** Friday, January 26, 2018 9:34 PM  
**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** WLL Draft Talking Points

Nancy,

Below are the draft talking points to start to draft a press release. If you draft anything up over the weekend let me know and I can review if you need me to.

Have a great weekend!

## Ex. 5 Deliberative Process (DP)

Silvina Fonseca  
Special Assistant  
Office of the Administrator  
U.S. Environmental Protection Agency  
Desk: 202.564.1955  
Cell: [REDACTED] Ex. 6 Personal Privacy (PP)



Message

---

**From:** Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]  
**Sent:** 10/11/2017 4:23:00 PM  
**To:** McMurray, Forrest [mcmurray.forrest@epa.gov]  
**Subject:** RE: Hey Camie

Got it. Cool.

---

**From:** McMurray, Forrest  
**Sent:** Wednesday, October 11, 2017 12:23 PM  
**To:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: Hey Camie

I'm talking about the tv interview

Forrest McMurray  
Scheduling and Advance  
U.S Environmental Protection Agency  
Office: 202-564-6308  
Cell: Ex. 6 Personal Privacy (PP)

On Oct 11, 2017, at 11:21 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

This interview is a live interview and is the must-hit media event for Mississippi.

---

**From:** McMurray, Forrest  
**Sent:** Wednesday, October 11, 2017 12:21 PM  
**To:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: Hey Camie

I'm shooting you the lxl that way you know where you can put it. Best might be for the afternoon after the lunch with the governor

Forrest McMurray  
Scheduling and Advance  
U.S Environmental Protection Agency  
Office: 202-564-6308  
Cell: Ex. 6 Personal Privacy (PP)

On Oct 11, 2017, at 11:16 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Yes. Still trying to setup a TV interview

---

**From:** McMurray, Forrest  
**Sent:** Wednesday, October 11, 2017 12:16 PM  
**To:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** Re: Hey Camie

Are the governor and the Administrator in the same interview? Just making sure. T

Forrest McMurray  
Scheduling and Advance  
U.S Environmental Protection Agency  
Office: 202-564-6308  
Cell: Ex. 6 Personal Privacy (PP)

On Oct 11, 2017, at 10:54 AM, Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)> wrote:

---

**From:** Camie Crowe [<mailto:camie@telesouth.com>]  
**Sent:** Tuesday, October 10, 2017 3:28 PM  
**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Subject:** RE: Hey Camie

We are located at 6311 ridgewood road Jackson, ms. We are right off county line road, you will take a right at the Hilton on county line road and will turn onto Ridgewood road and we are the second building on the right hand side, the farm bureau building. Pull to the front of the building and park in visitor parking. When you walk in there are 2 ladies at the front desk and they can tell you where we are located in the building. But you go straight pass the elevators and keep to the right of the stairs. You will walk through an atrium and see two double glass doors, that is us, Telesouth communications. Take a right into the doors and you will see a green room with couches. Just make yourself in home.

---

**From:** Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]  
**Sent:** Tuesday, October 10, 2017 1:50 PM  
**To:** [camie@telesouth.com](mailto:camie@telesouth.com)  
**Cc:** [paul@supertalk.fm](mailto:paul@supertalk.fm)  
**Subject:** Hey Camie

I will get a brief over to you but EPA Administrator Scott Pruitt will do an in-person interview with Paul Gallo on Tuesday, October 12, 2017 from 7:20 AM – 7:45 AM CDT. What is the address for SuperTalk Mississippi's studio.

Jahan Wilcox  
EPA  
Strategic Communications Advisor  
Work Cell: Ex. 6 Personal Privacy (PP)  
Work Email: [wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)



Message

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**From:** Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]  
**Sent:** 12/8/2017 3:06:18 PM  
**To:** Ferguson, Lincoln [ferguson.lincoln@epa.gov]  
**Subject:** FW: Final Request for Comment

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**From:** Wilcox, Jahan  
**Sent:** Friday, December 8, 2017 10:06 AM  
**To:** 'Shawn McCoy' <shawn@insidesources.com>; Press <Press@epa.gov> [Ex. 6 Personal Privacy (PP)] Bowman, Liz <Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Final Request for Comment

I have left Ethan a voicemail.

---

**From:** Shawn McCoy [mailto:shawn@insidesources.com]  
**Sent:** Friday, December 8, 2017 10:03 AM  
**To:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov> [Ex. 6 Personal Privacy (PP)] Bowman, Liz <Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Final Request for Comment

Ethan's number: [Ex. 6 Personal Privacy (PP)]

---

**From:** Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]  
**Sent:** Friday, December 08, 2017 9:24 AM  
**To:** Shawn McCoy <shawn@insidesources.com>; Press <Press@epa.gov> [Ex. 6 Personal Privacy (PP)] Bowman, Liz <Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: Final Request for Comment

I just tried to call you.

---

**From:** Shawn McCoy [mailto:shawn@insidesources.com]  
**Sent:** Thursday, December 7, 2017 8:10 PM  
**To:** Press <Press@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov> [Ex. 6 Personal Privacy (PP)] Bowman, Liz <Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** Final Request for Comment

Hey all,

The story below is set to publish tomorrow. I will wait until noon to hear back.

If you need it, I would be happy to provide you with additional time to review and respond to the information presented in the article. Just please email or call me, and let me know how much additional time you will need in order to get back to us.

But as I have been trying to get any type of response from the EPA related to this for the past week, I'm guessing you're not planning to respond.

This will be the first of a series of articles we plan to continue reporting on the EPA's media relations. Early next week, we have a full interview with Andrew Haffner that we plan to publish.

I would strongly encourage you to please reach out and discuss this with me. I spent a lot of my career working on GOP campaigns. We have a number of mutual friends. I understand some of the pressures you face in your jobs. I would

enjoy the opportunity to discuss this article in greater detail. I'm happy to do so off the record if you would feel more comfortable.

I hope to hear back from you.

All the best,  
Shawn

**Shawn McCoy**

Publisher

*InsideSources.com*

Phone: 330-207-5893

e-mail: [shawn@insidesources.com](mailto:shawn@insidesources.com)

## **Intimidation, Personal Attacks, and Silence: The EPA's Press Strategy Under Pruitt**

By Ethan Stoetzler

In the months since Scott Pruitt took over as Administrator of the Environmental Protection Agency, he has dedicated the agency to rolling back regulations, in favor of the production of coal, expanded oil enterprises, and giving more authority of the management of natural resources back to their respective states. No doubt, these issues are often divisive along party lines, just as they were when the Obama administration implemented its agenda. Pruitt has been true to not only his word, but also the positions that Donald Trump advocated as he campaigned for office.

What is unusual about the implementation of Pruitt's agenda has been a strategy implemented by the EPA's press office that seems out of place in American democracy. Since the beginning of Pruitt's tenure, the EPA has been routinely threatening reporters with action by law enforcement, launching false personal attacks on journalists, cutting reporters off of press releases, limiting media access, and displaying an unprecedented level of hostility toward the media.

Just last week, an InsideSources reporter was escorted by a Story County Sheriff's Deputy out of an EPA event at an Iowa farm in which Administrator Scott Pruitt was the keynote speaker. The reporter received no formal explanation as to why he was being removed. Subsequent attempts by InsideSources to speak with EPA spokesman Jahan Wilcox were left unanswered.

The use of police force to keep events closed to members of the media is not an isolated incident in Pruitt's EPA. Neither is the EPA's silence as to why media is being discouraged from coming to appearances of the administrator.

Back on August 9, Andrew Haffner, of the Grand Forks Herald in North Dakota, reported that two Herald reporters were threatened by Wilcox to leave a Pruitt event at the Energy and Environmental Research Center (EERC) at the University of North Dakota (UND), or else police — whom Wilcox referred to as “security” — would remove them from the premises. Haffner told InsideSources that he had been to the EERC several times before, as his beat for the Herald is education. While the EERC has an independent structure from the university, the center's lobby is open to the public, which is where Haffner stood with a camera, waiting for Pruitt to arrive.

A UND police officer eventually arrived and told Haffner and his co-reporter that the grounds were private property, then demanded they move away from the center's front doors and across the street, where protesters were standing. Both reporters then noticed that Pruitt's motorcade was approaching the center and towards what

Haffner described as a back loading bay. Haffner motioned to his co-worker to make their way to the back to take photos of Pruitt, where they then were stopped by a police vehicle.

According to former EPA Spokeswoman Liz Purchia Gannon, the EPA's strategy of blocking press access to Pruitt is very similar to the strategy employed by the White House communications team under President Trump.

"They're tightly controlling Pruitt's public events and interviews, which isolates him from most Americans and instead plays to Trump's base because that's who they prioritize," Gannon said. "They're not trying to use communications tactics to reach a broad audience."

When Haffner later returned to the press conference following Pruitt's closed roundtable, he was told that the event was still private, though Haffner assured them that he in fact had been invited to this particular portion of the day. Wilcox then approached Haffner, and after an exchange, accused Haffner of cooperating with protesters. Wilcox told Haffner that when he had called his fellow reporter over to take pictures of Pruitt, that Haffner was in fact coordinating protesters.

"He was insinuating I was in fact trying to set up a bit of a stunt with the protesters, which was honestly not the case," Haffner said.

The EPA press office now seems to be making a habit of accusatory and personal attacks against journalists. This behavior was exhibited again back in September, following an Associated Press story documenting Hurricane Harvey. Reporters Michael Biesecker and Jason Dearen wrote that the EPA was not present at at least five flooded "so-called" Superfund sites. EPA spokeswoman Liz Bowman responded to the story with personal attacks on Biesecker, calling his reporting "yellow journalism," and accusing him of not even visiting the sites, claiming that he was in Washington, D.C. at the time. Ignored entirely in the EPA's statement was Dearen, who did in fact visit the sites.

Another instance occurred as documented in the Washington Post on October 27. Bowman and Wilcox had an email exchange with New York Times reporter Eric Lipton, in which both Bowman and Wilcox employed media practices that virtually any PR professional would describe as highly unusual. Bowman and Wilcox refused to confirm the title and start date of a senior EPA employee to Lipton. It is standard practice for a federal agency to be able to provide confirmation of this information. Rather, they referred Lipton to reporting from other media outlets. Lipton responded to explain that reporters can avoid making errors by requesting confirmation from a primary source. Wilcox then accused Lipton of trying to steal other reporters' work.

In addition to the EPA's strategies of using police force to remove reporters and attempting to tarnish reporters' credibility, the EPA also employs the strategy of keeping Pruitt's meetings with elected officials and industry leaders private. It's not just keeping his appearances private, however. A source close with media covering the EPA has said that several prominent reporters have been removed from the EPA's press list, effectively cutting them off from the flow of information.

Even when press conferences are scheduled following Pruitt's meetings, Pruitt is usually not featured in them. InsideSources has found over 12 instances in which Pruitt has held closed door meetings with elected officials and invite-only citizens and industry, leaving both reporters and the public without answers as to why they are being neglected.

Gannon said that by not publicizing Pruitt's events, the EPA will be limiting the opportunities for Pruitt to be exposed and for people to protest.

“He doesn't hold press conferences or gaggles when traveling or at events because they leave too much vulnerability,” Gannon said, “and open the door for reporters to ask him questions that he doesn't want to talk about.”

For example, in a story published on August 2, in the Indianapolis Star, it was reported Pruitt visited Indiana as part of his "State Action Tour" the day prior, meeting with Indiana Governor Eric Holcomb (R), Lt. Gov. Suzanne Crouch and "other state officials," according to a release sent by the EPA press office in the late afternoon. After his visit, Pruitt hosted a roundtable at Mike Starkey Farms in Boonville but “made no effort to also meet with environmental groups like The Hoosier Environmental Council, the Nature Conservancy's Indiana Chapter, the Sierra Club's Hoosier Chapter, Citizens Action Coalition, Conservation Law Center, and the Indiana Water Environmental Association.” The story said all were unaware of the visit.

In fact, Pruitt's taxpayer-funded visits often neither include an announcement he is visiting the area or any time actually speaking with the public. On August 4, Pruitt visited the Gold King Mine in Colorado, but did not notify the local newspaper or the public, according to Jesse Aaron Paul, political reporter for the Denver Post. According to Paul's twitter thread, the “EPA refused to acknowledge Administrator Scott Pruitt will be at the Gold King Mine today and then [sent] him on local TV.”

Paul tweeted that media was not allowed to attend the Gold King tour with Senators Michael Bennet (D) and Cory Gardner (R), and Colorado Governor John Hickenlooper (R). Paul tweeted that there was to be a town hall in Durango, Colorado, but that the event was announced “about 24 hours before it happened -- and [was] for 45 mins.” Paul also tweeted that the EPA sent out a news release the day prior to his tweets showing Pruitt meeting with Colorado farmers. The press was not given prior notice that he was in the state.

Not everyone agrees that allowing the media to serve as a watchdog of public officials is inherently a good thing, especially in the Trump era. A GOP media operative who advised the Trump campaign said that barring biased journalists from public appearances was a “long overdue strategy,” but the source was deeply surprised that the EPA's press team acted with such hostility to InsideSources.

“Most American reporters are effectively Democratic operatives,” the operative said in an email, “so the Trump campaign barring partisan ‘journalists’ from events was brilliant and a long overdue strategy for the GOP. That said, many outlets, like InsideSources, provide fair coverage and therefore should be treated with the respect and access that real journalists deserve. The EPA should focus on kicking Democratic operatives with journalist credentials out of events--not fair and balanced news outlets like InsideSources.”

To be fair regarding Pruitt's enhanced security presence, according to CNN, the EPA's inspector general is in the process of investigating more than 70 threats against Pruitt and others at the agency, nearly five times as many as the previous chief, Gina McCarthy, received. The EPA has increased security for Pruitt by "a dozen" agents, whose salaries alone are to cost minimum \$2 million per year. The agents are to give Pruitt 24-hour security, which the inspector general said had never been done for a chief, prior. In that story, Bowman declined to comment on the enhanced security to protect the administrator.

But while enhanced security for the personal protection of Pruitt can be understandable, the EPA is also spending tax dollars on a private sound proof booth for his use. According to a New York Times story, the EPA has signed a \$25,000 contract to build a completely sound proof “privacy booth” to be placed at EPA headquarters. According to the story, the EPA wanted a “secure phone and computer room, essentially for sensitive information.”

The company, Acoustical Solutions, has worked with government offices since 2007 to create soundproof rooms and provide acoustic insulation. But even Steve Snider, a salesman for the company, described the EPA's request and customizations as "unusual."

Wilcox was repeatedly emailed to offer the EPA's perspective on its behavior towards the media. He was asked whether the EPA plans to continue using law enforcement to remove journalists from events, whether it is appropriate for the EPA press team to launch false personal attacks on reporters, and whether Pruitt has specifically directed his press team to undertake these actions. Wilcox has not replied to these inquiries.

*Erin Mundahl reported and contributed to this story.*

Message

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**From:** Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]  
**Sent:** 1/16/2018 5:36:58 PM  
**To:** Graham, Amy (Young) [Amy\_Graham@young.senate.gov]  
**Subject:** RE: EPA Releases Superfund Redevelopment Focus List

We are waiting until tomorrow morning – there is a site next to the Seattle Seahawks that I want to get ink out of.

---

**From:** Graham, Amy (Young) [mailto:Amy\_Graham@young.senate.gov]  
**Sent:** Tuesday, January 16, 2018 12:34 PM  
**To:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** FW: EPA Releases Superfund Redevelopment Focus List

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**From:** Terp, Andrew (Young)  
**Sent:** Tuesday, January 16, 2018 12:33 PM  
**To:** Graham, Amy (Young) <Amy\_Graham@young.senate.gov>  
**Subject:** FW: EPA Releases Superfund Redevelopment Focus List

Didn't this already go out? I'm confused.

---

**From:** Deamer, Eileen [mailto:deamer.eileen@epa.gov]  
**Sent:** Tuesday, January 16, 2018 12:31 PM  
**To:** Suntag, Aaron (Stabenow) <Aaron\_Suntag@stabenow.senate.gov>; Corcoran, Connor (Peters) <Connor\_Corcoran@peters.senate.gov>; Barrett, Catherine (Peters) <Catherine\_Barrett@peters.senate.gov>; 'mike.ryan@mail.house.gov' <mike.ryan@mail.house.gov>; Johnson, Elizabeth (Elizabeth.Johnson@mail.house.gov) <Elizabeth.Johnson@mail.house.gov>; Terp, Andrew (Young) <Andrew\_Terp@young.senate.gov>; Johannes, Deb (Young) <Deb\_Johannes@young.senate.gov>; Judnich, Mary (Stabenow) <Mary\_Judnich@stabenow.senate.gov>; mark.ratner@mail.house.gov; 'lynn.turner@mail.house.gov' <lynn.turner@mail.house.gov>; mark.lopez@mail.house.gov; Kitchen, Chase (Donnelly) <Chase\_Kitchen@donnelly.senate.gov>; Mount, Justin (Donnelly) <Justin\_Mount@donnelly.senate.gov>  
**Cc:** Beckmann, Ronna Erin <beckmann.ronna@epa.gov>; Fortin, Denise <Fortin.Denise@epa.gov>  
**Subject:** Re: EPA Releases Superfund Redevelopment Focus List

Hello again - It looks like this announcement will not go out until tomorrow. Please keep it close hold until then...

Thank you!

Eileen

---

**From:** Deamer, Eileen  
**Sent:** Tuesday, January 16, 2018 10:05 AM  
**To:** Suntag, Aaron (Stabenow) (Aaron\_Suntag@stabenow.senate.gov); Connor Corcoran (connor\_corcoran@peters.senate.gov); Barrett, Catherine (Peters); 'mike.ryan@mail.house.gov'; Johnson, Elizabeth

(Elizabeth.Johnson@mail.house.gov); Andrew\_Terp@young.senate.gov; Deb\_Johannes@young.senate.gov; 'Judnich, Mary (Stabenow'; mark.ratner@mail.house.gov; 'lynn.turner@mail.house.gov'; mark.lopez@mail.house.gov; Chase\_Kitchen@donnelly.senate.gov; Mount, Justin (Donnelly)  
**Cc:** Beckmann, Ronna Erin; Fortin, Denise  
**Subject:** EPA Releases Superfund Redevelopment Focus List

Hello –

Today, the U.S. Environmental Protection Agency (EPA) released its initial list of Superfund National Priorities List (NPL) sites with the greatest expected redevelopment and commercial potential.

“EPA is more than a collaborative partner to remediate the nation’s most contaminated sites, we’re also working to successfully integrate Superfund sites back into communities across the country,” said EPA Administrator Scott Pruitt. “Today’s redevelopment list incorporates Superfund sites ready to become catalysts for economic growth and revitalization.”

Superfund redevelopment has helped countless communities reclaim and reuse thousands of acres of formerly contaminated land. Superfund sites on the list have significant redevelopment potential based on previous outside interest, access to transportation corridors, land values, and other critical development drivers. The list easily directs interested developers and potential owners to Superfund sites with redevelopment potential, but does not necessarily include all possible sites with similar potential. The sites on this list are in alphabetical order and not ranked in any particular way. As of January 11, 2018, the Superfund Redevelopment List is:

- Aerojet General Corp., Rancho Cordova, CA
- Aircraft Components, Benton Harbor, MI
- Allied Paper, Inc./Portage Creek/Kalamazoo River, Kalamazoo, MI
- Armour Road, North Kansas City, MO
- Arrowhead Refinery Co., Hermantown, MN
- BoRit Asbestos, Ambler, PA
- Bunker Hill Mining & Metallurgical Complex, Smelterville, ID
- Crater Resources Inc./Keystone Coke Co./Alan Wood Steel Co., Upper Merion

Township, PA

- Eagle Mine, Minturn, CO
- Florida Steel Corp., Indiantown, FL
- Frontier Hard Chrome, Inc., Vancouver, WA
- Kerr-McGee Chemical Corp – Columbus, Columbus, MS
- Kerr-McGee Chemical Corp – Jacksonville, Jacksonville, FL
- Koppers Co., Inc., Charleston, SC
- Libby Asbestos Site, Libby, MT
- Many Diversified Interests, Inc., Houston, TX
- McCormick & Baxter Creosoting Co., Portland, OR
- Metal Bank, Philadelphia, PA
- MGM Brakes, Cloverdale, CA
- New Bedford, New Bedford, MA
- Operating Industries Inc. Landfill, Monterey Park, CA
- Peoples Natural Gas, Dubuque, IA
- Pepper Steel & Alloys, Inc., Medley, FL
- Quendall Terminal, Renton, WA
- Raymark Industries, Inc., Stratford, CT
- Roebling Steel Co., Burlington County, NJ
- Sanford Dry Cleaners, Sanford, FL
- Sharon Steel Corp., Midvale, UT
- St. Louis River Site, Duluth, MN
- U.S. Finishing/Cone Mills, Greenville, SC

- U.S. Smelter and Lead Refinery, Inc., East Chicago, IN

In July 2017, the Superfund Task Force released its recommendations to streamline and improve the Superfund program including a focus on redevelopment training, tools and resources towards sites on the NPL. EPA will work diligently with developers interested in reusing these and other Superfund sites; will identify potentially interested businesses and industries to keep them apprised of redevelopment opportunities; and will continue to engage with community groups in cleanup and redevelopment activities to ensure the successful redevelopment and revitalization of their communities.

Administrator Pruitt has set the expectation that there will be a renewed focus on accelerating work and progress at all Superfund sites across the country. The Superfund program remains dedicated to addressing risk and accelerating progress at all of its sites, not just those on the list. The list is intended to be dynamic. Sites will move on and off the list as appropriate.

For more information please visit: <https://www.epa.gov/superfund-redevelopment-initiative/superfund-redevelopment-focus-list>

Thank you,

Eileen Deamer  
U.S. EPA Region 5  
Congressional and Intergovernmental  
(312) 886-1728



**From:** Meyer, Ali [Ali.Meyer@KFOR.com]  
**Sent:** 10/10/2017 10:14:28 PM  
**To:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** Re: [EXT]Here's our statement

Thank you!

Sent from my little iPhone

On Oct 10, 2017, at 4:08 PM, Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)> wrote:

**ON-THE-RECORD STATEMENT ... "It's been over a decade since the President signed a budget passed by Congress, but the fact remains parties that polluted the land are responsible for the clean-up costs."**— EPA spokesman, Jahan Wilcox

**Additional Background (not for attribution):**

EPA's Superfund, Brownfields, and water infrastructure programs are key to helping bring EPA back its core mission; areas that all fell by the wayside under the Obama administration. We are currently looking for ways to better utilize all available tools and resources to clean up more contaminated lands faster so that communities are made safer and put back into productive use. We have recently made two big announcements on our Superfunds program, including a new [Task Force\[epa.gov\]](#), and a new [directive\[epa.gov\]](#) reserving the power to select remedies estimated to cost \$50 million or more with the Administrator, and instructing EPA Regions to work more closely with the Administrator's Office throughout the remedy development process.

**The notion that streamlining and improving the Superfund program will somehow lead to less protective or effective cleanups is false.** Applicable regulations require us to select remedies that will be protective to human health and the environment based on the anticipated future use of the site and other criteria. That isn't changing as a part of this initiative. Unlike the previous administration that failed to prioritize the Superfund program, Administrator Pruitt is providing real leadership that will lead to better results at Superfund sites across the country.

**It's very clear this was not a top-priority, or priority in general, from the previous administration because of the little progress made in eight years.** The two common metrics are the number of sites that were deleted from the National Priority List or sites where construction of the remedy has been completed. According to this site [https://www.epa.gov/superfund/deleted-national-priorities-list-npl-sites-deletion-date\[epa.gov\]](https://www.epa.gov/superfund/deleted-national-priorities-list-npl-sites-deletion-date[epa.gov]), it looks like EPA deleted 60 sites since 2009. Also, according to this site [https://www.epa.gov/superfund/superfund-remedial-performance-measures#cc\\_anchor\[epa.gov\]](https://www.epa.gov/superfund/superfund-remedial-performance-measures#cc_anchor[epa.gov]), EPA has completed construction at about 125 sites since 2009.

**In Politico Energy, Gina McCarthy** recognized that Superfund sites weren't a priority. Her quote makes it sound like this is some old program that no one cares about anymore – but the truth is that a LOT of people care. The people of West Lake care. The people of E. Chicago care. And, Americans deserve better leadership on this program:

*"Is EPA supposed to respond and say, 'We're really busy cleaning up Superfund sites from the '60s. We really can't address the problems that you're facing today?'" McCarthy added.*

**With regard to the Budget:**

The proposed budget for EPA is a 31 percent cut, the proposed cut to the Superfund program is 30 percent; or a \$330 million reduction. **As the Administrator has said many times, money is not the issue with this program. We believe that with better leadership, and reducing inefficiencies and administrative costs, we can accelerate the pace of the clean-ups.** It is also worth noting that we believe there is significant amount of money being wasted in administrative costs in this program (ranging from 28 to 55 percent depending on the region, for prior years, for indirect costs that are loaded as a percentage of direct clean-up costs, such as: administrative matters, personnel matters, guidance development, office utility and supply costs), and we are in the process of trying to identify and reduce these inefficiencies through our Task Force. Of course, some of the oversight costs are probably necessary, but we also know there is a lot of inefficiencies and waste – so that is what we are trying to identify and flush out.

Details on numbers: 1,336 sites on National Priorities List. a site was removed on 5/16 lowering the total by 1.

**NPL sites correlated to Presidential Administrations:**

1984-538 sites

1988-797 sites (+259 Reagan)

1992-1183 sites (+386 George HW Bush)

1996-1211 sites

2000-1232 sites (+49 Clinton)

2004-1239 sites

2008-1257 sites (+25 George W Bush)

2012-1313 sites

2016-1337 sites (+80 Obama)

**Specific examples:**

USS Lead Superfund Site[epa.gov] - East Chicago, Indiana: Administrator Pruitt is the first EPA Administrator to visit East Chicago, which was listed on the National Priorities List of the worst contaminated sites in the country in 2009. One of Pruitt's first trips was to visit the East Chicago Superfund site because he wanted to see and hear first-hand from the people who've been counting on us to help them. He has pledged improved coordination, communication and cleanup of the site working alongside federal, state and local partners. Under Pruitt's leadership, EPA has taken actions to expedite cleanup, and EPA announced the creation of a community involvement coordinator to serve as a director point of contact for East Chicago residents. At East Chicago: EPA cleaned up 50 properties in 2016, 200 properties in 2017 and anticipates cleaning up 400 more properties in 2018 and 2019, excluding the housing complex property in zone 1.

West Lake Landfill Superfund Site[epa.gov] – Bridgeton, Missouri: This site has been on the National Priorities List (NPL) for 28 years. Administrator Pruitt has committed to a solution within a few months. While this is not finished even once a decision is made, it shows action to solve a problem that no one else has addressed in almost two decades. While we are still working through a solution, we are committed to getting this matter resolved.

The Anaconda Copper Mine[cumulis.epa.gov] – Nevada: This site was not put on the NPL list because a private/state solution was proposed. Administrator Pruitt met with Nevada Gov. Sandoval about the site to discuss brokering a deal with the PRP (Potentially Responsible Parties) to get the site cleaned up without

having to have it added to the NPL – showing deference to the state and governor, and showing cooperative federalism.

###

Jahan Wilcox

EPA

Strategic Communications Advisor

Work Cell: Ex. 6 Personal Privacy (PP)

Work Email: [wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)

Message

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**From:** Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]  
**Sent:** 5/23/2017 5:00:08 PM  
**To:** Timothy Cama [tcama@thehill.com]  
**Subject:** RE: Budget

Just tried to call you.

**From:** Timothy Cama [mailto:tcama@thehill.com]  
**Sent:** Tuesday, May 23, 2017 12:58 PM  
**To:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: Budget

Ok thanks.

On that topic, is the administrator planning to do any mainstream media interviews and/or a press conference with questions?

--

Timothy Cama, Staff writer  
The Hill  
(202) 695-6245 (Also on Signal and WhatsApp)  
[www.thehill.com](http://www.thehill.com)

On Tue, May 23, 2017 at 11:52 AM, Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)> wrote:

Don't quote me but correct no briefing.

**From:** Timothy Cama [mailto:tcama@thehill.com]  
**Sent:** Tuesday, May 23, 2017 11:43 AM  
**To:** Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)>  
**Cc:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Re: Budget

Thanks. So no press bring or the like?

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

[www.thehill.com](http://www.thehill.com)

On Tue, May 23, 2017 at 10:59 AM, Lynn, Tricia <[lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)> wrote:

Hi Timothy--

For attribution to an EPA spokesperson: EPA will release the details of its budget today in coordination with OMB.

Best,

Tricia

---

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: [202.564.2615](tel:202.564.2615)

**From:** Timothy Cama [<mailto:tcama@thehill.com>]

**Sent:** Tuesday, May 23, 2017 10:55 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Budget

Hi folks-

Are you doing a press briefing on the EPA budget today?

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

[www.thehill.com](http://www.thehill.com)

**To:** Timothy Cama[tcama@thehill.com]  
**From:** Wilcox, Jahan[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]  
**Sent:** Tue 5/23/2017 5:01:53 PM (UTC)  
**Subject:** RE: Budget

Yes – call whenever.

**From:** Timothy Cama [mailto:tcama@thehill.com]  
**Sent:** Tuesday, May 23, 2017 1:00 PM  
**To:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re: Budget

Sorry, on Interior's budget call now. Try back in a few?

--  
Timothy Cama, Staff writer  
The Hill  
(202) 695-6245 (Also on Signal and WhatsApp)  
[www.thehill.com](http://www.thehill.com)

On Tue, May 23, 2017 at 12:57 PM, Timothy Cama <tcama@thehill.com> wrote:  
Ok thanks.

On that topic, is the administrator planning to do any mainstream media interviews and/or a press conference with questions?

--  
Timothy Cama, Staff writer  
The Hill  
(202) 695-6245 (Also on Signal and WhatsApp)  
[www.thehill.com](http://www.thehill.com)

On Tue, May 23, 2017 at 11:52 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:  
Don't quote me but correct no briefing.

**From:** Timothy Cama [mailto:tcama@thehill.com]  
**Sent:** Tuesday, May 23, 2017 11:43 AM  
**To:** Lynn, Tricia <lynn.tricia@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Budget

Thanks. So no press bring or the like?

--  
Timothy Cama, Staff writer  
The Hill  
(202) 695-6245 (Also on Signal and WhatsApp)  
[www.thehill.com](http://www.thehill.com)

On Tue, May 23, 2017 at 10:59 AM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:  
Hi Timothy--

For attribution to an EPA spokesperson: EPA will release the details of its budget today in coordination with OMB.

Best,

Tricia

---

Tricia Lynn  
Office of Public Affairs  
U.S. EPA  
Office: 202.564.2615

**From:** Timothy Cama [mailto:[tcama@thehill.com](mailto:tcama@thehill.com)]  
**Sent:** Tuesday, May 23, 2017 10:55 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Budget

Hi folks-

Are you doing a press briefing on the EPA budget today?

Thanks.

--

Timothy Cama, Staff writer  
The Hill  
(202) 695-6245 (Also on Signal and WhatsApp)  
[www.thehill.com](http://www.thehill.com)



Message

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**From:** Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]  
**Sent:** 6/12/2017 6:49:05 PM  
**To:** ElvinaNawaguna@cqrollcall.com  
**Subject:** RE: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Here is our statement:

"The President's budget respects the American taxpayer," said EPA Administrator Scott Pruitt. "This budget supports EPA's highest priorities with federal funding for priority work in infrastructure, air and water quality, and ensuring the safety of chemicals in the marketplace."

---

**From:** Wilcox, Jahan  
**Sent:** Monday, June 12, 2017 2:33 PM  
**To:** Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** RE: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Will handle.

---

**From:** Elvina Nawaguna [mailto:ElvinaNawaguna@cqrollcall.com]  
**Sent:** Monday, June 12, 2017 2:28 PM  
**To:** Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** FW: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Hi Liz,

Any chance I'd get a response from Admin. Pruitt or his office on some of the criticisms in this report by former EPA officials on the budget request? I'm working on a deadline of 3:30 p.m. thanks.

Elvina Nawaguna  
Energy and Environment Reporter  
CQ Roll Call  
1625 Eye St. NW #200  
Washington, DC 20006  
Cell: Ex. 6 Personal Privacy (PP)  
Desk: 202-650-6597



**From:** Liz Purchia Gannon [mailto:liz@riffcitystrategies.com]  
**Sent:** Monday, June 12, 2017 12:00 PM  
**To:** Liz Purchia Gannon  
**Subject:** 1PM Embargo: EPN Budget Analysis for Today's Press Call

Under embargo until 1PM ET, attached is the budget analysis created by the Environmental Protection Network that is being released today and will be discussed on the call at 1PM.

EPN is a newly formed bipartisan network of scientists, lawyers, economists, engineers and policy experts who carried out the day to day functions at EPA over many years and numerous administrations that moved our

country toward cleaner air and water, cleaned up contaminated sites and started the progress toward greenhouse gas reductions.

Unfortunately, EPN does not have a website at this time to provide a web link. The participants can speak more about the future of EPN.

**Dial-in:** 877-229-8493

**Pin:** 114565

On Mon, Jun 12, 2017 at 8:52 AM Liz Purchia Gannon <liz@riffcitystrategies.com> wrote:

In advance of EPA Administrator Scott Pruitt's budget hearing on Thursday, the Environmental Protection Network, a bi-partisan network of former EPA employees and related federal and state agencies, will host a press call at 1PM today to release the findings of their budget analysis.

The budget analysis will be shared at 12PM

### **Former EPA Staff Host Press Call to Release FY18 Budget Analysis in Advance of Administrator Pruitt's Senate Hearing**

(Washington, D.C.)-- Monday, June 12, three days before Environmental Protection Agency (EPA) Administrator Scott Pruitt's Senate Hearing on the FY18 EPA budget, the co-founders and board members of the Environmental Protection Network, a bi-partisan network of former EPA employees and related federal and state agencies, will host a press call to release the findings of their budget analysis. Their analysis highlights how deep cuts to the EPA will devastate the health and well-being of American families and children. The speakers will call for more robust EPA funding so it can address ongoing and future challenges and meet the responsibilities Congress gave it over many years.

Trump's budget proposes a 31 percent cut to the EPA, but the real cuts are in the range of 42% after accounting for level funding of two large water infrastructure grant programs. This undermines vital programs that clean up contaminated sites and have over the years cleaned America's air and water. Trump's budget dis-empowers the agency and disables it from doing it's job, putting families at increased risk from toxic air pollution, lead in drinking water and smog associated with cancer and asthma attacks.

**What:** Press call featuring the co-founders and board members of the Environmental Protection Network to discuss the findings of their budget analysis document

**When:** Monday June 12, 2017 at 1:00pm ET

**Who:**

- George Wyeth, former EPA attorney who was at the agency for 27 years, holding positions in the General Counsel's office, the Policy Office and the Enforcement Office.
- Ruth Greenspan Bell, former EPA Assistant General Counsel for Toxics and Water, more recently working on climate policy in Washington, DC think-tanks.
- Caroline Isber, co-founder and member of the Board of EPN, former staffer at EPA, the White House Council on Environmental Quality, NOAA, HHS and NIH
- Sally Ericsson, former Associate Director for Natural Resources, Energy and Science at OMB and former Associate Director for Natural Resources at the White House Council on Environmental Quality

**Dial-in:** 877-229-8493

**Pin:** 114565

Reporters should dial in 5-10 minutes before the beginning of the call.

###

--

Liz Purchia Gannon  
Riff City Strategies I San Francisco + Des Moines

Ex. 6 Personal Privacy (PP) cell  
@LizPurchia

--

Liz Purchia Gannon  
Riff City Strategies I San Francisco + Des Moines

Ex. 6 Personal Privacy (PP) cell  
@LizPurchia

.....  
This e-mail may contain confidential material. If you are not an intended recipient, please notify the sender and delete all copies. It may also contain personal views which are not the views of CQ Roll Call or its owner, The Economist Group. We may monitor e-mail to and from our network. For company information go to <http://legal.economistgroup.com>.

Message

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**From:** Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]  
**Sent:** 6/27/2017 12:34:45 PM  
**To:** Graham, Amy [graham.amy@epa.gov]  
**Subject:** RE: FOX NEWS SUPERFUND INTERVIEW

Coffee

---

**From:** Graham, Amy  
**Sent:** Tuesday, June 27, 2017 8:26 AM  
**To:** Ferguson, Lincoln <ferguson.lincoln@epa.gov>  
**Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>  
**Subject:** Re: FOX NEWS SUPERFUND INTERVIEW

Circling back to see where we are on this?

Sent from my iPhone

On Jun 23, 2017, at 5:40 PM, Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)> wrote:

Yep!

Thanks, headed back tomorrow

Sent from my iPhone

On Jun 23, 2017, at 5:23 PM, Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)> wrote:

Thanks, Lincoln – Can you take the lead on pulling together the talking points on this, including answers to these questions?

Hope you had a nice trip!

---

**From:** Ferguson, Lincoln  
**Sent:** Friday, June 23, 2017 5:16 PM  
**To:** Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)>  
**Cc:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Kelly, Albert <[kelly.albert@epa.gov](mailto:kelly.albert@epa.gov)>  
**Subject:** Re: FOX NEWS SUPERFUND INTERVIEW

I think this would be good, as you said he's answered these questions before.

Things I know he'll want details on before the interview:

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Sent from my iPad

On Jun 23, 2017, at 4:59 PM, Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)> wrote:

Team + Kell – Circling back on this. Andrew O'Reilly would like to travel to DC (from New York) to do an on-camera interview with the Administrator for [FoxNews.com](http://FoxNews.com) early next week. This could be done from the Fox DC studio or at our EPA office. They are unable to do an interview in NY on Friday.

The interview will focus on the Administrator's Superfund initiative. He has assured me that while he will ask all the questions - including the tougher ones like funding and concerns of cutting corners in the cleanup process – this is not a hit piece and there won't be any gotchas.

## Ex. 5 Deliberative Process (DP)

He also asked for a list of Superfund sites near New York City that are good examples of where improved leadership could lead to quicker results, and I am working with the program to track this down.

---

**From:** Graham, Amy

**Sent:** Thursday, June 22, 2017 3:38 PM

**To:** Liz Bowman ([Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)) <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Jahan Wilcox ([wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)) <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>

**Subject:** FW: Superfund Sites

FoxNews is very eager to do a story on our Superfund efforts. I've been working with Andrew to provide background on what we're doing. He's looking to get an interview on the books – either in DC or New York – next week. Can we get this on the Administrator's calendar? I can ask them to come here to us.

---

**From:** O'Reilly, Andrew [<mailto:Andrew.Oreilly@FOXNEWS.COM>]

**Sent:** Wednesday, June 21, 2017 11:06 AM

**To:** Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)>

**Subject:** RE: Superfund Sites

Hey Amy,

If the Administrator is in NY any time soon we could do it up here, but if DC is better than we could do it at our studio there (or even at EPA headquarters if I can get a videographer to tag along with me). Let me know what works best and what dates/times look good. A couple of options are always better so we can make sure to have a studio and/or shooter ready for the interview.

-Andrew

---

**From:** Graham, Amy [<mailto:graham.amy@epa.gov>]

**Sent:** Wednesday, June 21, 2017 11:03 AM

**To:** O'Reilly, Andrew

**Subject:** RE: Superfund Sites

Hey Andrew – What are you thinking for the interview? Would the Administrator need to be in New York?

I also know you've reached out to our regional office, but it's best to direct any questions you have to me.

Thanks!

---

**From:** O'Reilly, Andrew [<mailto:Andrew.Oreilly@FOXNEWS.COM>]

**Sent:** Wednesday, June 21, 2017 10:47 AM

**To:** Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)>

**Subject:** RE: Superfund Sites

Hey Amy,

Just checking to see if any progress has been made in securing the Administrator for an interview? I just spoke with our video team and we're looking to go big with this piece. Hope your day is going well.

-Andrew

---

**From:** Graham, Amy [<mailto:graham.amy@epa.gov>]

**Sent:** Tuesday, June 20, 2017 11:40 AM

**To:** O'Reilly, Andrew

**Subject:** RE: Superfund Sites

Andrew – Per our conversation, I am sending along additional background information. Let me know if you need an on the record comment from me and I'm happy to get you something. Also working to see if we can set up an interview with the Administrator. Thanks.

**On Background (not for attribution):**

EPA's Superfund, Brownfields, and water infrastructure programs are key to helping bring EPA back its core mission; areas that all fell by the wayside under the Obama administration. We are currently looking for ways to better utilize all available tools and resources to clean up more contaminated lands faster so that communities are made safer and put back into productive use.

EPA Administrator Scott Pruitt recently made two big announcements on our Superfunds program, including a new Task Force, and a new directive reserving the power to select remedies estimated to cost \$50 million or more with the Administrator, and instructing EPA Regions to work more closely with the Administrator's Office throughout the remedy development process.

One of Administrator Pruitt's first trips was to visit the East Chicago Superfund site, because he wanted to see and hear first-hand from the people who are counting on EPA's help. He was the first EPA Administrator to visit East Chicago.

There are currently 1,336 sites on the National Priority List of Superfund sites that are located across the country. It's very clear this was not a top-priority, or priority in general, from the previous administration because of the little progress made in eight years.

**With regard to the Budget:**

The proposed budget for EPA is a 31 percent cut, the proposed cut to the Superfund program is 30 percent; or a \$330 million reduction. As the Administrator has said many times, money is not the issue with this program. We believe that with better leadership, and reducing inefficiencies and administrative costs, we can accelerate the pace of the clean-ups. It is also worth noting that we believe there is significant amount of money being wasted in administrative costs in this program (ranging from 28 to 55 percent depending on the region, for prior years, for indirect costs that are loaded as a percentage of direct clean-up costs, such as: administrative matters, personnel matters, guidance development, office utility and supply costs), and we are in the process of trying to identify and reduce these inefficiencies through our Task Force. Of course, some of the oversight costs are probably necessary, but we also know there is a lot of inefficiencies and waste – so that is what we are trying to identify and flush out.

**The notion that streamlining and improving the Superfund program will somehow lead to less protective or effective cleanups is false.**

Applicable regulations require us to select remedies that will be protective to human health and the environment based on the anticipated future use of the site and other criteria. That isn't changing as a part of this initiative. Unlike the previous administration that failed to prioritize the Superfund program, Administrator Pruitt is providing real leadership that will lead to better results at Superfund sites across the country.

**Specific examples:**

USS Lead Superfund Site - East Chicago, Indiana: Administrator Pruitt is the first EPA Administrator to visit East Chicago, which was listed on the National Priorities List of the worst contaminated sites in the country in 2009. He has pledged improved coordination, communication and cleanup of the site working alongside federal, state and local partners. Under Pruitt's leadership, EPA has taken actions to expedite cleanup, and today EPA announced the creation of a community involvement

coordinator to serve as a director point of contact for East Chicago residents. At East Chicago: EPA cleaned up 50 properties in 2016, 200 properties in 2017 and anticipates cleaning up 400 more properties in 2018 and 2019, excluding the housing complex property in zone 1.

West Lake Landfill Superfund Site – Bridgeton, Missouri: This site has been on the National Priorities List (NPL) for 28 years. Administrator Pruitt has committed to a solution within a few months. While this is not finished or fixed even once a decision is made, it shows action to solve a problem that no one else has addressed in almost two decades. While we do not yet know the recommended solution, we are committed to getting this matter resolved.

The Anaconda Copper Mine – Nevada: This site was not put on the NPL list because a private/state solution was proposed. Administrator Pruitt met with Nevada Gov. Sandoval about the site to discuss brokering a deal with the PRP (Potentially Responsible Parties) to get the site cleaned up without having to have it added to the NPL – showing deference to the state and governor, and showing cooperative federalism.

**Here is a link to additional information on how Superfund settlements are negotiated with potentially responsible parties (PRPs):**  
**<https://www.epa.gov/enforcement/negotiating-superfund-settlements>**

---

**From:** O'Reilly, Andrew [<mailto:Andrew.Oreilly@FOXNEWS.COM>]  
**Sent:** Tuesday, June 20, 2017 9:31 AM  
**To:** Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)>  
**Subject:** RE: Superfund Sites

Hey Amy,  
My office number is [Ex. 6 Personal Privacy (PP)] Look forward to hearing from you.

-Andrew

---

**From:** Graham, Amy [<mailto:graham.amy@epa.gov>]  
**Sent:** Tuesday, June 20, 2017 9:30 AM  
**To:** O'Reilly, Andrew  
**Subject:** RE: Superfund Sites

Hi Andrew – Absolutely. What's the best number to call you at around 10:30?

---

**From:** O'Reilly, Andrew [<mailto:Andrew.Oreilly@FOXNEWS.COM>]  
**Sent:** Tuesday, June 20, 2017 9:16 AM  
**To:** Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)>  
**Subject:** Superfund Sites



Hi Amy,  
I'm a reporter with Fox News and am working on a story about Administrator Pruitt's push to speed up Superfund clean-ups and what this would entail. I was hoping you had a couple of minutes today for a phone call to discuss this. Look forward to hearing back from you.

-Andrew

Andrew O'Reilly  
Reporter  
[FoxNews.com](http://FoxNews.com)

1211 Avenue of the Americas  
New York, NY 10036  
O: 212.901.4712  
M: Ex. 6 Personal Privacy (PP)  
E: [Andrew.OReilly@Foxnews.com](mailto:Andrew.OReilly@Foxnews.com)  
@aoreilly

<image001.png>

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Message

---

**From:** Graham, Amy [graham.amy@epa.gov]  
**Sent:** 6/29/2017 9:41:30 PM  
**To:** Jeff Bechdel [jbechdel@ntknetwork.com]  
**CC:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** RE: Re:

Hey Jeff – Per our discussion, this is all on background and not for attribution.

Here is the link to the Rachel Maddow interview regarding the EPA Board of Scientific Counselors (BOSC):  
<http://mms.tveyes.com/transcript.asp?StationID=205&DateTime=6/28/2017%209:43:31%20PM&playclip=true>

**MYTH: The Board used to be 68 members, and is now only going to be 11.**  
**REALITY:** This is intentionally misleading. It makes it sound like members of the board have been fired and won’t be replaced. The fact of the matter is that no one was fired, their terms are simply expiring. Everyone with an expiring term has been invited to re-apply and EPA is working diligently to fill these spots. EPA is taking an inclusive approach to filling future BOSC appointments and welcome all applicants from all relevant scientific and technical fields as we work on restoring the agency’s core mission of protecting clean air, land, and water.

**MYTH: Members were going to have a first-term renewal; the board has been kind of decimated.**  
**REALITY:** No one was fired or terminated. Member terms expire and no one was forced to leave prior to their terms being expired. The BOSC is not Congressionally mandated; it is a creation of EPA. All members are appointed by the Administrator and serve at his pleasure; no existing Member is guaranteed a renewal. No one at EPA had the authority to promise board members their term would be automatically renewed.

**MYTH: Activities have been essentially suspended; future meetings have also been cancelled. Six meetings were scheduled in the fall, and we don’t have enough bodies to keep the BOSC going.**  
**REALITY:** Future meetings have not been canceled - BOSC meetings will be reconvened as soon as possible and EPA is working diligently to review and confirm nominations. In the meantime, EPA research will continue and has continued. Furthermore, EPA scientists continue to conduct experiments, write papers and attend scientific meetings. BOSC members play no role in reviewing the science used by EPA for rulemaking.

**MYTH: The Agency is replacing the role of the BOSC. It will take EPA six to nine months to probably get the group re-populated, get new meetings scheduled and actually do anything. A new BOSC will miss a year of valid, important, critical science advice.**  
**REALITY:** Again, this is simply not true. Future meetings have not been canceled - BOSC meetings will be reconvened as soon as possible and EPA is working diligently to review and confirm nominations. BOSC members play no role in reviewing the science used by EPA for rulemaking.

**MYTH: The chief of staff sent intimidating emails prior to testifying and told Deborah Swackhamer to change her testimony. Deborah said she was testifying as an individual, not as an employee of EPA.**  
**REALITY:** Deborah Swackhamer testified at a hearing about the role that states play in U.S. rulemaking. Deborah was invited by the Democratic Minority, at which time she testified about a scientific board – which had nothing to do with the scope of the hearing. Documents obtained by the Committee demonstrate that the true intent of this testimony was to criticize Administrator Pruitt’s evaluation of the BOSC rather than discuss state involvement of EPA rulemaking.

As the Committee explains on their website: It is clear that Swackhamer failed to adhere to EPA processes for reviewing testimony and that Jackson sought to merely clarify a section of the testimony that would be provided to the Committee.

The email communications indicate that Swackhamer failed to adhere to established review practices set forth for testimony provided by EPA-affiliated witnesses when testifying before Congressional Committees, including submitting

this testimony for review by the Office of Congressional and Intergovernmental Relations and the Office of General Counsel. Jackson attempted to discuss Swackhamer’s testimony with her on the telephone, but was unable to reach her, thus prompting further email communications. Jackson sought only to clarify a point in Swackahmer’s testimony regarding Administrator Pruitt’s decision to evaluate the BOSC membership. Career EPA attorney and acting General Counsel was copied on all of the email communications sent to Swackhamer pertaining to this matter. The full email exchange between Jackson and Swackhamer, can be [viewed here](#).

The written testimony included falsehoods. Congressional testimony can and should be updated to clarify inaccurate or false statements, either in oral or written testimony.

Let me know if you have any follow up questions.

Many thanks,  
Amy

**From:** Jeff Bechdel [mailto:jbechdel@ntknetwork.com]  
**Sent:** Thursday, June 29, 2017 10:31 AM  
**To:** Graham, Amy <graham.amy@epa.gov>  
**Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** Re:

Hey Amy, I'm at 

Ex. 6 Personal Privacy (PP)

On Thu, Jun 29, 2017 at 10:29 AM, Graham, Amy <graham.amy@epa.gov> wrote:

Hi Jeff - What's a good phone number to reach you at?

-----Original Message-----  
From: Wilcox, Jahan  
Sent: Thursday, June 29, 2017 10:24 AM  
To: jbechdel@ntknetwork.com; Graham, Amy <graham.amy@epa.gov>  
Subject:

Dear Mr. Jeff Bechdel -

I want to connect you with my colleague Amy Graham who has something that you or someone in your newsroom might be interested in writing about.

I hope you and your family have a safe 4th of July.

Best

Jahan

--  
**Jeff Bechdel**  
NTK Network  
[jbechdel@ntknetwork.com](mailto:jbechdel@ntknetwork.com)

**From:** Graham, Amy [graham.amy@epa.gov]  
**Sent:** 6/30/2017 2:13:11 PM  
**To:** Jeff Bechdel [jbechdel@ntknetwork.com]  
**CC:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** Re: Re:

"An EPA source" is perfect.

Sent from my iPhone

On Jun 30, 2017, at 9:53 AM, Jeff Bechdel <jbechdel@ntknetwork.com> wrote:

Hey Amy, question for you. Given that all of this info is on background/not for attribution, how would you prefer statements like the following to be attributed? Am I fine just saying some of this came from "an EPA source"?

Everyone with an expiring term has been invited to re-apply and EPA is working diligently to fill these spots. EPA is taking an inclusive approach to filling future BOSC appointments

Future meetings have not been canceled - BOSC meetings will be reconvened as soon as possible and EPA is working diligently to review and confirm nominations.

On Thu, Jun 29, 2017 at 5:41 PM, Graham, Amy <graham.amy@epa.gov> wrote:

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<http://mms.tveyes.com/transcript.asp?StationID=205&DateTime=6/28/2017%209:43:31%20PM&playclip=true>

**MYTH: The Board used to be 68 members, and is now only going to be 11.**

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**REALITY:** No one was fired or terminated. Member terms expire and no one was forced to leave prior to their terms being expired. The BOSC is not Congressionally mandated; it is a creation of EPA. All members are appointed by the Administrator and serve at his pleasure; no existing Member is guaranteed a renewal. No one at EPA had the authority to promise board members their term would be automatically renewed.

**MYTH:** Activities have been essentially suspended; future meetings have also been cancelled. Six meetings were scheduled in the fall, and we don't have enough bodies to keep the BOSC going.

**REALITY:** Future meetings have not been canceled - BOSC meetings will be reconvened as soon as possible and EPA is working diligently to review and confirm nominations. In the meantime, EPA research will continue and has continued. Furthermore, EPA scientists continue to conduct experiments, write papers and attend scientific meetings. BOSC members play no role in reviewing the science used by EPA for rulemaking.

**MYTH:** The Agency is replacing the role of the BOSC. It will take EPA six to nine months to probably get the group re-populated, get new meetings scheduled and actually do anything. A new BOSC will miss a year of valid, important, critical science advice.

**REALITY:** Again, this is simply not true. Future meetings have not been canceled - BOSC meetings will be reconvened as soon as possible and EPA is working diligently to review and confirm nominations. BOSC members play no role in reviewing the science used by EPA for rulemaking.

**MYTH:** The chief of staff sent intimidating emails prior to testifying and told Deborah Swackhamer to change her testimony. Deborah said she was testifying as an individual, not as an employee of EPA.

**REALITY:** Deborah Swackhamer testified at a hearing about the role that states play in U.S. rulemaking. Deborah was invited by the Democratic Minority, at which time she testified about a scientific board – which had nothing to do with the scope of the hearing. Documents obtained by the Committee demonstrate that the true intent of this testimony was to criticize Administrator Pruitt's evaluation of the BOSC rather than discuss state involvement of EPA rulemaking.

As the Committee explains on their website: It is clear that Swackhamer failed to adhere to EPA processes for reviewing testimony and that Jackson sought to merely clarify a section of the testimony that would be provided to the Committee.

The email communications indicate that Swackhamer failed to adhere to established review practices set forth for testimony provided by EPA-affiliated witnesses when testifying before Congressional Committees, including submitting this testimony for review by the Office of Congressional and Intergovernmental Relations and the Office of General Counsel. Jackson attempted to discuss Swackhamer's testimony with her on the telephone, but was unable to reach her, thus prompting further email communications. Jackson sought only to clarify a point in Swackahmer's testimony

regarding Administrator Pruitt’s decision to evaluate the BOSC membership. Career EPA attorney and acting General Counsel was copied on all of the email communications sent to Swackhamer pertaining to this matter. The full email exchange between Jackson and Swackhamer, can be [viewed here](#).

The written testimony included falsehoods. Congressional testimony can and should be updated to clarify inaccurate or false statements, either in oral or written testimony.

Let me know if you have any follow up questions.

Many thanks,

Amy

**From:** Jeff Bechdel [mailto:[jbechdel@ntknetwork.com](mailto:jbechdel@ntknetwork.com)]  
**Sent:** Thursday, June 29, 2017 10:31 AM  
**To:** Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)>  
**Cc:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Subject:** Re:

Hey Amy, I'm at Ex. 6 Personal Privacy (PP)

On Thu, Jun 29, 2017 at 10:29 AM, Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)> wrote:

Hi Jeff - What's a good phone number to reach you at?

-----Original Message-----  
From: Wilcox, Jahan  
Sent: Thursday, June 29, 2017 10:24 AM  
To: [jbechdel@ntknetwork.com](mailto:jbechdel@ntknetwork.com); Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)>  
Subject:

Dear Mr. Jeff Bechdel -

I want to connect you with my colleague Amy Graham who has something that you or someone in your newsroom might be interested in writing about.

I hope you and your family have a safe 4th of July.

Best  
Jahan

--

**Jeff Bechdel**  
NTK Network  
[jbechdel@ntknetwork.com](mailto:jbechdel@ntknetwork.com)

--

**Jeff Bechdel**  
NTK Network  
[jbechdel@ntknetwork.com](mailto:jbechdel@ntknetwork.com)

Message

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**From:** Jeff Bechdel [jbechdel@ntknetwork.com]  
**Sent:** 6/30/2017 3:38:04 PM  
**To:** Graham, Amy [graham.amy@epa.gov]  
**CC:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** Re: Re:

Here is a link: <http://ntknetwork.com/epa-critics-claims-dont-hold-up-under-close-examination/>

Let me know if you have any questions or concerns. Thanks for flagging!

On Fri, Jun 30, 2017 at 10:13 AM, Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)> wrote:  
"An EPA source" is perfect.

Sent from my iPhone

On Jun 30, 2017, at 9:53 AM, Jeff Bechdel <[jbechdel@ntknetwork.com](mailto:jbechdel@ntknetwork.com)> wrote:

Hey Amy, question for you. Given that all of this info is on background/not for attribution, how would you prefer statements like the following to be attributed? Am I fine just saying some of this came from "an EPA source"?

Everyone with an expiring term has been invited to re-apply and EPA is working diligently to fill these spots. EPA is taking an inclusive approach to filling future BOSC appointments

Future meetings have not been canceled - BOSC meetings will be reconvened as soon as possible and EPA is working diligently to review and confirm nominations.

On Thu, Jun 29, 2017 at 5:41 PM, Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)> wrote:

Hey Jeff – Per our discussion, this is all on background and not for attribution.

Here is the link to the Rachel Maddow interview regarding the EPA Board of Scientific Counselors (BOSC):  
<http://mms.tveyes.com/transcript.asp?StationID=205&DateTime=6/28/2017%209:43:31%20PM&playclip=true>

**MYTH:** The Board used to be 68 members, and is now only going to be 11.

**REALITY:** This is intentionally misleading. It makes it sound like members of the board have been fired and won't be replaced. The fact of the matter is that no one was fired, their terms are simply expiring. Everyone with an expiring term has been invited to re-apply and EPA is working diligently to fill these spots. EPA is taking an inclusive approach to filling future BOSC appointments and welcome all applicants from all relevant scientific and technical fields as we work on restoring the agency's core mission of protecting clean air, land, and water.



**MYTH: Members were going to have a first-term renewal; the board has been kind of decimated.**

**REALITY:** No one was fired or terminated. Member terms expire and no one was forced to leave prior to their terms being expired. The BOSC is not Congressionally mandated; it is a creation of EPA. All members are appointed by the Administrator and serve at his pleasure; no existing Member is guaranteed a renewal. No one at EPA had the authority to promise board members their term would be automatically renewed.

**MYTH: Activities have been essentially suspended; future meetings have also been cancelled. Six meetings were scheduled in the fall, and we don't have enough bodies to keep the BOSC going.**

**REALITY:** Future meetings have not been canceled - BOSC meetings will be reconvened as soon as possible and EPA is working diligently to review and confirm nominations. In the meantime, EPA research will continue and has continued. Furthermore, EPA scientists continue to conduct experiments, write papers and attend scientific meetings. BOSC members play no role in reviewing the science used by EPA for rulemaking.

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Best

Jahan

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**Jeff Bechdel**

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[jbechdel@ntknetwork.com](mailto:jbechdel@ntknetwork.com)

Message

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**From:** John Siciliano [jsiciliano@washingtonexaminer.com]  
**Sent:** 4/12/2017 11:18:03 PM  
**To:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** Re: Question

I learned what these things mean from the Bush administration's press office at State Department and the White House.

**Off the Record is probably the better one to use.** Not for Attribution can sometimes be confused with what used to be called "Deep Background," which means things can be stated as fact, but cannot be attributed to a specific department, and nothing can be quoted. But that has to do with real information, like Nixon broke into the DNC headquarters, for example.

But for your purposes, it's probably not that important, since what your doing is informational.

On Wed, Apr 12, 2017 at 6:48 PM, Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)> wrote:

Everyone has their own definition of everything. Without attribution would be not me or the EPA. Or I can just do off the record if you prefer that. Basically I'm just flagging stories and clips that are in the public domain.

Sent from my iPhone

On Apr 12, 2017, at 6:44 PM, John Siciliano <[jsiciliano@washingtonexaminer.com](mailto:jsiciliano@washingtonexaminer.com)> wrote:

It might be better to clarify what you mean. Not for attribution means not to name you specifically. But it might be helpful to say I can attribute on background, meaning an EPA official.

On Wed, Apr 12, 2017 at 6:01 PM, Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)> wrote:

If I send you stories and other low hanging stuff is it ok to always start off as not for attribution or do you want me to ask each time?

Jahan Wilcox  
EPA  
Strategic Communications Advisor  
Work Cell: Ex. 6 Personal Privacy (PP)  
Work Email: [wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)

Message

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**From:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Sent:** 4/4/2017 11:17:11 PM  
**To:** mcpike@ijr.com  
**Subject:** Re: Hey Skatell

Sure or we can talk tomorrow too

Sent from my iPhone

On Apr 4, 2017, at 7:04 PM, "mcpike@ijr.com" <mcpike@ijr.com> wrote:

See below - can we talk in like a half hour?

Ex. 6 Personal Privacy (PP)

On Apr 4, 2017, at 6:06 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

What is your number?

In regards to the budget cuts and how people here are unhappy with them, I have some not-for-attribution research regarding some of the employee spending here at the EPA.

**From:** Erin McPike [mailto:mcpike@ijr.com]  
**Sent:** Monday, April 3, 2017 5:22 PM  
**To:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Cc:** Alex Skatell <Ex. 6 Personal Privacy (PP)>  
**Subject:** Re: Hey Skatell

Jahan, I always need things! Have a scoop? I'll take one right now.

On Mon, Apr 3, 2017 at 5:19 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Thanks Alex.

Hi Erin, if you need anything from us please let me know and I'll be sending you items as well.

Jahan

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**From:** Alex Skatell [mailto:Ex. 6 Personal Privacy (PP)]  
**Sent:** Monday, April 3, 2017 5:17 PM

**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>

**Cc:** Erin McPike <[mcpike@ijr.com](mailto:mcpike@ijr.com)>

**Subject:** Re: Hey Skatell

Thanks Jahan, that's great and yes adding Erin who covers the administration and agencies. We don't have an EPA beat reporter but connecting you guys now.

Alex

On Mon, Apr 3, 2017 5:04 PM, Wilcox, Jahan [wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov) wrote:

I just started at the EPA. Is there anyone at IJ that I should connect with?

Jahan Wilcox

EPA

Strategic Communications Advisor

Work Cell: Ex. 6 Personal Privacy (PP)

Work Email: [wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)

--

Erin McPike

White House Correspondent, IJR

202-247-0478